



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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All instruments appearing in this gazette are to be considered official, and obeyed as such

GOVERNOR'S INSTRUMENTS

APPOINTMENTS, RESIGNATIONS AND GENERAL MATTERS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Clare Michele Scriven, MLC as Acting Minister for Small and Family Business, Acting Minister for Consumer and Business Affairs and Acting Minister for Arts from 13 July 2024 until 2 August 2024 inclusive, during the absence of the Honourable Andrea Michaels, MP.

By command,

ZOE LEE BETTISON, MP
For Premier

DPC24/042CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Natalie Fleur Cook, MP as Acting Minister for Child Protection and Acting Minister for Women and the Prevention of Domestic, Family and Sexual Violence from 14 July 2024 until 7 August 2024 inclusive, during the absence of the Honourable Katrine Anne Hildyard, MP.

By command,

ZOE LEE BETTISON, MP
For Premier

DPC24/042CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Clare Michele Scriven, MLC as Acting Minister for Recreation, Sport and Racing from 14 July 2024 until 7 August 2024 inclusive, during the absence of the Honourable Katrine Anne Hildyard, MP.

By command,

ZOE LEE BETTISON, MP
For Premier

DPC24/042CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Dr Susan Elizabeth Close, MP as Acting Minister for Police, Emergency Services and Correctional Services and Acting Special Minister of State from 17 July 2024 until 26 July 2024 inclusive, during the absence of the Honourable Daniel Roy Cregan, MP.

By command,

ZOE LEE BETTISON, MP
For Premier

DPC24/042CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Clare Michele Scriven, MLC as Acting Minister for Tourism and Acting Minister for Multicultural Affairs from 18 July 2024 until 4 August 2024 inclusive, during the absence of the Honourable Zoe Lee Bettison, MP.

By command,

ZOE LEE BETTISON, MP
For Premier

DPC24/042CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Dr Susan Elizabeth Close MP as Acting Minister for Police, Emergency Services and Correctional Services, and Acting Special Minister of State from 15 July 2024 until 16 July 2024 inclusive, during the absence of the Honourable Daniel Roy Cregan, MP.

By command,

ZOE LEE BETTISON, MP
For Premier

24MINCAB-0028

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint Aaron Almeida to the office of Magistrate, effective from 15 July 2024 - pursuant to section 5 of the Magistrates Act 1983.

By command,

ZOE LEE BETTISON, MP
For Premier

AGO0136-24CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint Adrian Alexander Tembel as the Chair of the South Australian Productivity Commission for a term commencing on 17 July 2024 and expiring on 16 July 2027 - pursuant to section 68 of the Constitution Act 1934.

By command,

ZOE LEE BETTISON, MP
For Premier

DPC24/046CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has amended the instrument of appointment of Natarsha Caitlin Ann Ikiua as a member of the Teachers Registration Board of South Australia signed on 20 June 2024 and the Minutes of the Executive Council meeting held on 20 June 2024 to correct the appointee's name to Nartarsha Caitlin Ann Ikiua.

By command,

ZOE LEE BETTISON, MP
For Premier

ME24/081

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Police Disciplinary Tribunal, pursuant to the provisions of the Police Complaints and Discipline Act 2016:

Panel Member: from 15 July 2024
Aaron Almeida

By command,

ZOE LEE BETTISON, MP
For Premier

AGO0136-24CS

Department of the Premier and Cabinet
Adelaide, 11 July 2024

His Excellency the Governor's Deputy in Executive Council has directed that, upon his retirement, a cash payment be made to The Honourable Justice Malcolm Fraser Blue, a Judge of the Supreme Court of South Australia, in lieu of his unused leave entitlement - pursuant to section 13H(2) of the Supreme Court Act 1935.

By command,

ZOE LEE BETTISON, MP
For Premier

AGO0134-24CS

PROCLAMATIONS

South Australia

Hydrogen and Renewable Energy Act (Commencement) Proclamation 2024

1—Short title

This proclamation may be cited as the *Hydrogen and Renewable Energy Act (Commencement) Proclamation 2024*.

2—Commencement of Act

The *Hydrogen and Renewable Energy Act 2023* (No 37 of 2023) comes into operation on 11 July 2024.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 11 July 2024

South Australia

Administrative Arrangements (Administration of Hydrogen and Renewable Energy Act) Proclamation 2024

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Hydrogen and Renewable Energy Act) Proclamation 2024*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Administration of Act committed to Minister for Energy and Mining

The administration of the *Hydrogen and Renewable Energy Act 2023* is committed to the Minister for Energy and Mining.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 11 July 2024

South Australia

South Australian Civil and Administrative Tribunal (Designation of Magistrate as Member of Tribunal) Proclamation 2024

under section 18 of the *South Australian Civil and Administrative Tribunal Act 2013*

1—Short title

This proclamation may be cited as the *South Australian Civil and Administrative Tribunal (Designation of Magistrate as Member of Tribunal) Proclamation 2024*.

2—Commencement

This proclamation comes into operation on 15 July 2024.

3—Designation of magistrate as member of Tribunal

The following magistrate holding office under the *Magistrates Act 1983* is designated as a member of the South Australian Civil and Administrative Tribunal:

Aaron Almeida

Made by the Governor's Deputy

on the recommendation of the Attorney-General after consultation by the Attorney-General with the President of the South Australian Civil and Administrative Tribunal and the Chief Magistrate and with the advice and consent of the Executive Council
on 11 July 2024

South Australia

Youth Court (Designation and Classification of Magistrate) Proclamation 2024

under section 9 of the *Youth Court Act 1993*

1—Short title

This proclamation may be cited as the *Youth Court (Designation and Classification of Magistrate) Proclamation 2024*.

2—Commencement

This proclamation comes into operation on 15 July 2024.

3—Designation and classification of magistrate

Magistrate Aaron Almeida is—

- (a) designated as a magistrate of the Youth Court of South Australia; and
- (b) is classified as a member of the Court's ancillary judiciary.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 11 July 2024

REGULATIONS

South Australia

Hydrogen and Renewable Energy Regulations 2024under the *Hydrogen and Renewable Energy Act 2023*.**Contents****Part 1—Preliminary**

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Hydrogen and Renewable Energy Regulations 2024*.

2—Commencement

These regulations come into operation on the day on which the *Hydrogen and Renewable Energy Act 2023* comes into operation.

3—Interpretation

- (1) In these regulations—

ABN has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth;

Aboriginal object and **Aboriginal site** have the same respective meanings as in the *Aboriginal Heritage Act 1988*;

ACN has the same meaning as in the *Corporations Act 2001* of the Commonwealth;

Act means the *Hydrogen and Renewable Energy Act 2023*;

Australian entity means an entity that has an ABN or an ACN;

designated Act means 1 or any of the following:

- (a) the *Aboriginal Heritage Act 1988*;
- (b) the *Aboriginal Lands Trust Act 2013*;
- (c) the *Adelaide Dolphin Sanctuary Act 2005*;
- (d) the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*;
- (e) the *Coast Protection Act 1972*;
- (f) the *Crown Land Management Act 2009*;
- (g) the *Energy Resources Act 2000*;
- (h) the *Environment Protection Act 1993*;
- (i) the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth;
- (j) the *Heritage Places Act 1993*;
- (k) the *Historic Shipwrecks Act 1981*;
- (l) the *Hydrogen and Renewable Energy Act 2023*;
- (m) the *Landscape South Australia Act 2019*;
- (n) the *Maralinga Tjarutja Land Rights Act 1984*;
- (o) the *Marine Parks Act 2007*;
- (p) the *Mining Act 1971*;
- (q) the *National Parks and Wildlife Act 1972*;
- (r) the *Native Title Act 1993* of the Commonwealth;
- (s) the *Native Vegetation Act 1991*;
- (t) the *Offshore Minerals Act 2000*;
- (u) the *Opal Mining Act 1995*;
- (v) the *Pastoral Land Management and Conservation Act 1989*;
- (w) the *Petroleum (Submerged Lands) Act 1982*;
- (x) the *Planning, Development and Infrastructure Act 2016*;
- (y) the *Radiation Protection and Control Act 2021*;
- (z) the *River Murray Act 2003*;
- (za) the *Wilderness Protection Act 1992*;
- (zb) the *Work Health and Safety Act 2012*;
- (zc) an Act of another State or a Territory or of the Commonwealth that contains provisions that substantially correspond with an Act set out in paragraphs (a) to (zb) (inclusive);
- (zd) any other Act (including an Act of another State or a Territory or of the Commonwealth) determined by the Minister by notice in the Gazette to be a designated Act for the purposes of this definition;

Recognised Aboriginal Representative Body has the same meaning as in the *Aboriginal Heritage Act 1988*;

rental offer—see regulation 24;

traditional owner has the same meaning as in the *Aboriginal Heritage Act 1988*;

transmission or distribution network has the same meaning as in the *Electricity Act 1996*.

- (2) For the purposes of paragraph (d) of the definition of **associated infrastructure activity** in section 4(1) of the Act, the following are prescribed:
- (a) direct air capture infrastructure used for the purposes of capturing carbon dioxide associated with generating hydrogen;
 - (b) an energy storage system that—
 - (i) is capable of—
 - (A) being charged; and
 - (B) storing and discharging energy; and
 - (ii) has a storage capacity of or above a nameplate capacity of 5 MW; and
 - (iii) is connected to a transmission or distribution network through which energy (including energy generated or obtained from a renewable energy resource) is conveyed;
 - (c) ports, wharves or jetties associated with the import or export of any compound of hydrogen created in accordance with the provisions of the Act;
 - (d) infrastructure necessary for the storage of any compound of hydrogen created in accordance with the provisions of the Act.
- (3) For the purposes of the definition of **exploit** in section 4(1) of the Act, a nameplate capacity of 5 MW is prescribed.
- (4) For the purposes of paragraph (b) of the definition of **generating hydrogen** in section 4(1) of the Act, operations undertaken for the creation of any compound of hydrogen for the purposes of processing, storage or transport of generated hydrogen are prescribed.
- (5) For the purposes of paragraph (h) of the definition of **owner** of land in section 4(1) of the Act, the holder of a tourism lease or tourism licence under the *Aquaculture Act 2001* is an owner of the land to which the lease or licence applies for the purposes of the Act.

4—Exploration of renewable energy resources by Minister—prescribed activities

For the purposes of section 7(1)(f) of the Act, surveys and other assessments related to the environment including (but not limited to)—

- (a) fauna and flora surveys; and
 - (b) heritage assessments, which may include a consideration of Aboriginal heritage, natural heritage, built heritage, archaeological heritage and underwater cultural heritage; and
 - (c) assessments of underlying and adjacent land uses,
- are prescribed.

Part 2—Renewable energy feasibility permit

5—Application for permit—prescribed information

For the purposes of section 8(3)(c) of the Act, an application for a renewable energy feasibility permit must be accompanied by the following additional information:

- (a) the full name, business address and telephone number of the applicant;
- (b) the name and telephone number of a person who can be contacted about the application;
- (c) if the application is being made by more than 1 person—information regarding the interest that each person will have in the permit (which may be expressed as a percentage);
- (d) a description of the activities proposed to be undertaken under the permit, including a map showing the location at which each activity is proposed to be undertaken;
- (e) a statement outlining the technical, operational and financial capabilities available to the applicant for the purposes of undertaking activities under the permit;
- (f) how data obtained from undertaking the proposed feasibility activity (including from the use of equipment used in undertaking a feasibility activity) will be captured, stored, analysed, progressed, actioned and reported;
- (g) the manner in which the holder of the permit will undertake construction and placement of equipment intended to be used for undertaking the proposed feasibility activity;
- (h) if the applicant has, or will acquire, a right or interest in respect of land comprising the proposed permit area sufficient to undertake the feasibility activity to be authorised under the permit—such evidence as required by the Minister that the applicant has, or will acquire, that right;
- (i) if any part of the proposed permit area comprises native title land that is the subject of a native title declaration or is within the area of a claim that is registered in a native title register—a statement outlining any native title agreement that is in place, or the manner in which the applicant proposes to negotiate such an agreement;
- (j) a statement outlining any contravention by the applicant of a provision of a designated Act in connection with activities undertaken by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to undertake an activity; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any activity or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
- (k) such other information as required by the Minister and notified to the applicant.

6—Issue of permit—prescribed criteria

For the purposes of section 8(5) of the Act, in addition to the matters specified in that subsection, the Minister must, before issuing a renewable energy feasibility permit, be satisfied that—

- (a) the applicant has—
 - (i) the necessary technical qualifications and experience; and
 - (ii) the necessary operational capabilities and resources,to undertake the feasibility activity to be authorised under the permit; and
- (b) the expected financial position of the applicant over the proposed term of the permit will be sufficient to undertake the feasibility activity to be authorised under the permit.

7—Renewal of permit—prescribed criteria

- (1) For the purposes of section 9(4) of the Act, the following criteria are prescribed:
 - (a) the applicant for renewal of a renewable energy feasibility permit must have—
 - (i) the necessary technical qualifications and experience; and
 - (ii) the necessary operational capabilities and resources,to undertake the feasibility activity to be authorised under the permit;
 - (b) the expected financial position of the applicant over the proposed term of the renewed permit must be sufficient to undertake the feasibility activity to be authorised under the permit; and
 - (c) the applicant for the renewal has, or will acquire, a right or interest in respect of land comprising the permit area sufficient to undertake the feasibility activity to be authorised under the permit.
- (2) For the purposes of subregulation (1), an applicant for the renewal of a renewable energy feasibility permit must provide to the Minister a statement outlining the following information:
 - (a) the applicant's performance for the previous term of the permit, including such information as required by the Minister and notified to the applicant;
 - (b) the reasons for requiring a renewal of the permit, including an outline of the feasibility activity that the applicant intends to undertake under the permit during—
 - (i) the term of the renewed permit; or
 - (ii) such other period determined by the Minister;
 - (c) the amount of expenditure that is estimated to occur in undertaking the feasibility activity;
 - (d) the expected financial position of the applicant over the proposed term of the renewed permit;
 - (e) a statement outlining that the applicant for the renewal has, or will acquire, a right or interest in respect of land comprising the permit area sufficient to undertake the feasibility activity to be authorised under the renewed permit;

- (f) any contravention by the applicant of a provision of a designated Act in connection with activities undertaken by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to undertake an activity; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any activity or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment.

8—Application of provisions of Act to renewable energy feasibility permit

Pursuant to section 115(2)(c) of the Act—

- (a) the provisions of the Act set out in Schedule 1 apply in relation to a renewable energy feasibility permit; and
- (b) a reference to a licence in a provision set out in that Schedule will be taken to include a renewable energy feasibility permit; and
- (c) a reference to a licensee in a provision set out in that Schedule will be taken to include a permit holder; and
- (d) a reference to authorised operations or operations in a provision set out in that Schedule will be taken to include a feasibility activity; and
- (e) a reference to a licence area in a provision set out in that Schedule will be taken to include a permit area.

Part 3—Release area

9—Notice of declaration of release area

Pursuant to section 10(6)(a) of the Act, the notice in writing given by the Minister of the proposed declaration of a release area (the *proposed release area notice*) must—

- (a) describe the area of land in the proposed release area; and
- (b) invite submissions on the proposed release area to be made to the Minister in a manner and form set out in the notice; and
- (c) specify a period of at least 30 business days from the day on which the notice is published within which submissions must be received; and
- (d) be published in any manner the Minister thinks fit.

10—Consultation

- (1) For the purposes of section 10(6)(b) of the Act, the Minister must, in such manner as the Minister thinks fit—
 - (a) give the proposed release area notice to each relevant person; and
 - (b) consult with each relevant person to whom notice is given under paragraph (a) by inviting them to make submissions on the proposed release area, allowing a period of at least 30 business days within which the person may make a submission.

(2) In this regulation—

relevant person, in relation to a proposed release area, means—

- (a) each owner of land within the area; and
- (b) any Recognised Aboriginal Representative Body—
 - (i) in respect of the area; or
 - (ii) in respect of a specific Aboriginal site, object or remains within the area;
- (c) —
 - (i) each council within the area; or
 - (ii) if any part of the area falls outside of council areas—the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and
- (d) if any part of the area comprises pastoral land—the Pastoral Board under the *Pastoral Land Management and Conservation Act 1989*; and
- (e) any other person determined by the Minister, in the Minister's absolute discretion, to be relevant in relation to the area in the circumstances.

11—Register—prescribed particulars

For the purposes of section 10(8) of the Act, the following particulars of a declaration of a release area must be entered on the register:

- (a) a description of the boundaries of the release area;
- (b) a description of the location of the release area;
- (c) the size of the release area expressed in square kilometres;
- (d) if specified in a notice given under section 10(1) of the Act—the renewable energy resource in respect of which the release area is declared.

12—Call for tenders for renewable energy feasibility licence

(1) For the purposes of section 11(2)(e) of the Act, the following are prescribed:

- (a) a statement outlining any agreement that is in place with a native title holder and other owners of land in respect of the proposed licence area, or the manner in which the applicant proposes to negotiate such an agreement including (if possible) information about the applicant's proven ability to successfully undertake such negotiations;
- (b) if the notice under section 11(1) of the Act sets out matters to be addressed by an applicant as raised with the Minister by a registered native title body corporate or a registered native title claimant during the period allowed for making submissions to the Minister pursuant to regulation 10(1)(b)—
 - (i) a statement submitted by the applicant addressing those matters; and
 - (ii) any statement received from the registered native title body corporate or the registered native title claimant in response to that statement;
- (c) a proposed work program detailing operations that will be undertaken under the proposed licence;

- (d) the net economic, social and environmental benefit to the State expected as a result of the proposed exploitation of the renewable energy resource (the *project*), including—
 - (i) the initiatives proposed to support the short and long term security and stability of the State’s energy system; and
 - (ii) the extent to which the project will create and maintain jobs and provide skills and training opportunities, including jobs for young people, apprentices, Aboriginal and Torres Strait Islander people and people with a disability; and
 - (iii) the manner in which the applicant intends to provide opportunities for Australian entities to bid for the supply of goods and services necessary in undertaking the project; and
 - (iv) the manner in which the applicant intends to provide beneficial economic, environmental and social outcomes for rural, regional and Aboriginal communities;
 - (e) the applicant's experience and ability to deliver renewable energy projects;
 - (f) how the applicant intends to deliver a commercial project within a specified time;
 - (g) the technical, operational and financial capabilities of the applicant that are necessary for the purposes of undertaking the project;
 - (h) the applicant's environmental management credentials, including their knowledge and experience in environmental impact assessment and management;
 - (i) any rental offer made by the applicant under regulation 24;
 - (j) any other matter the Minister considers relevant and specific to a particular release area.
- (2) For the purposes of section 11(3)(a) of the Act, the following requirements are prescribed:
- (a) if the Minister receives more than 1 application for a renewable energy feasibility licence in response to a call for tenders under section 11 of the Act, the Minister—
 - (i) must identify any applications in which an area of land in respect of which a licence is being sought in 1 application overlaps with the area of land in respect of which a licence is being sought in another application; and
 - (ii) may, in the Minister's absolute discretion, by written notice to the relevant applicants, invite them to amend their respective applications in a manner determined by the Minister and specified in the notice, so that the identified areas of land in respect of which a licence is sought in each application no longer overlap;
 - (b) if, in connection with subregulation (1)(b), an applicant provides a statement of a kind referred to in that paragraph, the Minister—
 - (i) must provide the statement to the relevant native title body corporate or registered native title claimant; and
 - (ii) must notify the relevant native title body corporate or registered native title claimant of a specified period of time within which they may provide a response to the matters outlined in the statement; and
 - (iii) may require that the relevant native title body corporate or registered native title claimant keep information in the statement confidential.

13—Minister may invite further applications after tender process

- (1) Pursuant to section 11(5) of the Act, the Minister may, at any time, by notice in the Gazette, invite further applications for a renewable energy feasibility licence in respect of a release area—
 - (a) if a successful applicant notifies the Minister that they do not intend to apply, or proceed with an application, for a renewable energy feasibility licence; or
 - (b) if the Minister is unable to grant a renewable energy feasibility licence to a successful applicant because a precondition required for the grant of a renewable energy feasibility licence to the successful applicant is not satisfied; or
 - (c) if the Minister cancels a successful applicant's renewable energy feasibility licence; or
 - (d) if a successful applicant surrenders their renewable energy feasibility licence; or
 - (e) in any other circumstances as the Minister thinks fit.
- (2) A notice under subregulation (1) must comply with the requirements of section 11(2) of the Act.
- (3) The Minister must deal with an application received in circumstances outlined in subregulation (1) in accordance with the requirements of section 11 of the Act.
- (4) Pursuant to section 11(5) of the Act and notwithstanding the provisions in subregulation (1), if the Minister determines a successful applicant in respect of an area of land that does not cover the whole of the specified release area, the Minister may, by written notice to an unsuccessful applicant whose application is identified under regulation 12(2)(a)(i), invite them to submit a further application in respect of the area of land within the release area in respect of which a successful application has not been determined.
- (5) An application under subregulation (4) must be assessed against the same criteria as specified in the relevant notice issued under section 11(1) of the Act against which other applications in respect of that specified release area were assessed.

Part 4—Licensing

14—Regulated activities—exclusions

- (1) For the purposes of section 12(2)(b) of the Act, the following activities, if undertaken by a relevant distribution network service provider or a relevant transmission network service provider pursuant to a transmission licence or a distribution licence granted under Part 3 of the *Electricity Act 1996*, unless otherwise determined by the Minister by notice in the Gazette for the purposes of this regulation, are excluded from the definition of **regulated activities** for the purposes of the Act:
 - (a) constructing, installing, operating, maintaining or decommissioning a transmission or distribution network;
 - (b) transmitting or otherwise conveying energy obtained from a renewable energy resource through a transmission or distribution network.
- (2) In this regulation—

relevant distribution network service provider means SA Power Networks (ACN 332 330 749);

relevant transmission network service provider means ElectraNet Pty Ltd (ACN 094 428 416).

15—Hydrogen generation licence—regulated activities

For the purposes of section 14(1)(c) of the Act, the following regulated activities are prescribed:

- (a) constructing, installing, operating, maintaining or decommissioning direct air capture infrastructure to be used for the purposes of capturing carbon dioxide associated with generating hydrogen;
- (b) constructing, installing, operating, maintaining or decommissioning infrastructure necessary for the storage of any compound of hydrogen created in accordance with the provisions of the Act;
- (c) if the licensee—
 - (i) holds a port operating agreement pursuant to section 28B of the *Harbors and Navigation Act 1993* in respect of the proposed licence area; or
 - (ii) has entered into a contract or other agreement with a person who holds a port operating agreement pursuant to section 28B of the *Harbors and Navigation Act 1993* in respect of the proposed licence area,

the construction, installation, operation, maintaining, management and decommissioning of a port, wharf or jetty associated with the import or export of hydrogen or a compound of hydrogen created in accordance with the provisions of the Act.

16—Associated infrastructure licence—prescribed requirements

- (1) For the purposes of section 23(5) of the Act, it is a requirement that the Minister must be satisfied—
 - (a) if the licence will authorise the construction, installation, operation, maintaining, management and decommissioning of a port, wharf or jetty associated with the import or export of hydrogen or renewable energy—that the applicant for the licence—
 - (i) holds, or will hold at the time the licence is granted, a port operating agreement within the meaning of section 28B of the *Harbors and Navigation Act 1993* in respect of the proposed licence area; or
 - (ii) has entered into a contract or other agreement with a person who holds, or will hold, a port operating agreement within the meaning of section 28B of the *Harbors and Navigation Act 1993* in respect of the proposed licence area; or
 - (b) in any other case—that the applicant for the licence has, or will acquire, a right or interest in respect of the land comprising the proposed licence area.
- (2) In this regulation, a reference to hydrogen includes a compound of hydrogen created in accordance with the provisions of the Act.

17—Special enterprise licence

For the purposes of section 27(2)(b) of the Act, the following information is prescribed:

- (a) information demonstrating that the enterprise is of major significance to the economy of the State;
- (b) a statement outlining the regulated activity or activities proposed to be undertaken as part of the enterprise;

- (c) maps and plans relating to the place where the enterprise is proposed to be undertaken;
- (d) an outline of the environmental impacts of the proposed enterprise and of steps proposed to be undertaken to address or manage those impacts;
- (e) a statement of the steps taken by the proponent to obtain any permissions, authorisations, consents or other approvals from an owner of land or any registered native title claimant as would be required for a grant of another licence or permit under the Act in respect of the enterprise, including (if relevant) any attempts at mediation or other dispute resolution;
- (f) if so determined by the Minister in a particular case—a description of the impacts on people and communities that may reasonably be expected to occur as a result of the enterprise and the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts);
- (g) a statement of the technical, operational and financial capabilities and resources available to the proponent for the purpose of undertaking the enterprise;
- (h) a statement by the proponent outlining any contravention by the proponent of a provision of a designated Act in connection with activities undertaken by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to undertake an activity; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of an activity or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment;
- (i) a statement identifying any exemptions or modifications with respect to the provisions of the Act that the proponent has under consideration in connection with the operation of section 29 of the Act;
- (j) such other information as may be determined by the Minister and notified to the proponent.

18—Application for licence—prescribed information

- (1) For the purposes of section 31(1)(d) of the Act, in addition to the material required under section 31 of the Act, the following information is prescribed:
 - (a) the full name and address of the applicant;
 - (b) if the application is being made by more than 1 person—information regarding the interest each person will have in the licence (which may be expressed as a percentage);
 - (c) the name, address and telephone number of a person who can be contacted about the application;

- (d) a description of the area to which the application relates, using coordinates in a form determined or approved by the Minister and, if available, cadastral boundaries;
- (e) a map indicating the area of land to which the application relates that identifies any significant topographical, environmental and cultural features of the land;
- (f) the size of the area to which the application relates expressed in kilometres or square kilometres (as appropriate);
- (g) if the applicant is a body corporate—a copy of the body corporate's most recent audited financial statements;
- (h) information that demonstrates the expected financial position of the applicant over the proposed term of the licence (or a shorter term determined by the Minister);
- (i) the necessary technical qualifications and experience that will enable the applicant to undertake authorised operations;
- (j) the necessary operational capabilities and resources that will enable the applicant to undertake authorised operations;
- (k) if the proposed licence will authorise exploiting a renewable energy resource through an electricity generating plant that is to be connected to the State's power system—a certificate from the Technical Regulator certifying that the electricity generation complies with the requirements of the Technical Regulator in relation to the security and stability of the State's power system;
- (l) if the applicant seeks to apply for an associated infrastructure licence that confers a right to enter and use land in the proposed licence area—that fact;
- (m) if the applicant has, or will acquire, a right or interest in respect of land comprising the proposed licence area sufficient to undertake the proposed authorised operations—such evidence as required by the Minister that the applicant has, or will acquire, that right;
- (n) in the case of an application for a hydrogen generation licence, renewable energy feasibility licence, renewable energy infrastructure licence or an associated infrastructure licence that will confer a right to enter and use designated land, if any part of the proposed licence area comprises native title land—
 - (i) if a native title agreement is in place—that fact; or
 - (ii) in any other case—a statement outlining the manner in which the applicant will negotiate a native title agreement in respect of the land;
- (o) a statement outlining any contravention by the applicant of a provision of a designated Act in connection with activities undertaken by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to undertake an activity; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of an activity or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment.

(2) In this regulation—

electricity generating plant has the same meaning as in paragraph (a) of the definition of *electricity infrastructure* in section 4(1) of the *Electricity Act 1996*;

power system and *Technical Regulator* have the same respective meanings as in the *Electricity Act 1996*.

19—Notice of certain applications

For the purposes of section 32(4) of the Act, as soon as practicable after determining to grant or refuse an application to which section 32 of the Act applies, the Minister must publish, by notice in the Gazette, a statement of the determination of the Minister in relation to the application.

20—Negotiating access agreement—prescribed period

For the purposes of section 42(4)(b) of the Act, the prescribed period is 2 months from the day on which the initiation notice is given to the negotiating parties.

21—Renewal of licence

(1) Subregulation (2) applies to—

- (a) a hydrogen generation licence; and
- (b) a renewable energy feasibility licence; and
- (c) a renewable energy infrastructure licence; and
- (d) a renewable energy research licence; and
- (e) an associated infrastructure licence.

(2) For the purposes of sections 15(4), 18(4)(a), 20(4)(a), 22(4)(a) and 24(4)(a) of the Act, the Minister must, before renewing a licence to which this subregulation applies, be satisfied that an applicant for the renewal of a licence has—

- (a) provided to the Minister a statement of performance for the previous term of the licence which includes such information in respect of authorised operations required by the Minister and notified to the applicant; and
- (b) provided to the Minister—
 - (i) a written statement of reasons for the renewal of the relevant licence outlining the operations that the applicant intends to undertake under the licence during—
 - (A) the term of the renewed licence; or
 - (B) a period determined by the Minister; and
 - (ii) an estimate of the amount of expenditure expected as a result of undertaking those operations; and
 - (iii) a written statement of any changes to the approved work program required as a result of the renewal of the relevant licence; and
- (c) the necessary technical qualifications and experience that will enable the applicant to undertake authorised operations; and
- (d) the necessary operational capabilities and resources that will enable the applicant to undertake authorised operations; and

- (e) provided information to the Minister of the expected financial position of the applicant over the proposed term of the licence to be renewed (or a shorter term determined by the Minister); and
 - (f) provided a statement outlining any contravention by the applicant of a provision of a designated Act in connection with activities undertaken by them within the preceding period of 5 years that resulted in—
 - (i) the revocation or suspension of an authority to undertake an activity; or
 - (ii) a prosecution for an offence; or
 - (iii) the imposition of a penalty by a court; or
 - (iv) the issuing of a notice, direction or order that required the suspension or discontinuance of any activity or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspect of the environment.
- (3) In addition to the matters outlined in subregulation (2), for the purposes of section 15(4) of the Act, the Minister must not renew a hydrogen generation licence unless the Minister is satisfied that the applicant for the renewal has or will acquire a right or interest in respect of land comprising the licence area sufficient to undertake the operations to be authorised under the renewed licence.

22—Work program

- (1) For the purposes of paragraph (b) of the definition of *work program* in section 4(1) of the Act, the following criteria are prescribed in respect of the work program of a renewable energy feasibility licence:
- (a) how data obtained during exploratory operations (including from the use of equipment used for exploring a renewable energy resource) will be captured, stored, analysed, progressed, actioned and reported;
 - (b) how the applicant for the licence or the licensee (as the case requires) will undertake construction and placement of equipment intended to be used for exploring a renewable energy resource;
 - (c) how the applicant for the licence or the licensee (as the case requires) will effectively understand the renewable energy resource potential of the relevant release area within a specified time;
 - (d) the manner in which the commercial and business models of the applicant or licensee (as the case requires) will support a subsequent application for a renewable energy infrastructure licence.
- (2) Pursuant to paragraph (c)(ii) of the definition of *work program* in section 4(1) of the Act, an assessment of the benefits to the State derived, or expected to be derived, from operations proposed to be undertaken under the licence should address the net economic, social and environmental benefit to the State expected as a result of the proposed authorised operations, including (if relevant) the manner in which the proposed authorised operations will—
- (a) support the short and long term security and stability of the State’s energy system; and
 - (b) create and maintain jobs and provide skills and training opportunities, including jobs for young people, apprentices, Aboriginal and Torres Strait Islander people and people with a disability; and

- (c) provide opportunities for Australian entities to bid for the supply of goods and services necessary in undertaking the project; and
- (d) provide beneficial economic, environmental and social outcomes for rural, regional and Aboriginal communities.

23—Notice to Minister of commencement of authorised operations

- (1) For the purposes of section 44 of the Act—
 - (a) a licensee must specify the day on which authorised operations will commence in the operational management plan approved in relation to the licence; and
 - (b) when a licensee knows the day on which authorised operations will be completed—a licensee must specify this day in each annual licence report provided to the Minister under regulation 26.
- (2) If authorised operations commence or are completed on a day other than that notified to the Minister under subregulation (1), the licensee must, within 10 business days after the operations commenced or were completed (as the case requires), give written notice to the Minister of the day on which authorised operations commenced or were completed.

24—Rent

- (1) For the purposes of section 45(2)(a) of the Act, the amount of annual rent for a licence to which section 45 of the Act applies in respect of a particular year is—
 - (a) in the case of a renewable energy research licence or a special enterprise licence—the amount specified in, or calculated in accordance with, a rental determination; or
 - (b) in the case of a renewable energy feasibility licence or a renewable energy infrastructure licence—
 - (i) the amount specified in, or calculated in accordance with, a rental determination; or
 - (ii) the amount of the successful rental offer (if any),whichever is greater.
- (2) The Minister must provide to each holder of a licence to which section 45 of the Act applies a written notice of the annual rent payable by the licensee in respect of each licence year.
- (3) For the purposes of this regulation, the Minister must, in accordance with the requirements of this regulation, by notice in the Gazette, make a determination in relation to the amount of annual rent payable for a licence to which section 45 of the Act applies (a **rental determination**).
- (4) Without limiting the generality of subregulation (3), a rental determination may—
 - (a) —
 - (i) express the rent payable as a fixed amount in respect of a specified year or each year within a specified period; or
 - (ii) provide for the manner in which the amount of rent payable is to be determined or calculated in a specified year or each year within a specified period; and
 - (b) provide that the amount of rent payable in respect of a year is to be indexed annually in accordance with the provisions of the determination; and

- (c) be of general, limited or varied application according to the licence, class of licence, circumstances or any other specified factor to which the determination is expressed to apply.
- (5) If the Minister has issued a notice under section 11(1) of the Act inviting applications for renewable energy feasibility licences within a specified release area, the Minister must make a rental determination that will apply in relation to a renewable energy feasibility licence and a renewable energy infrastructure licence granted within that area.
- (6) The Minister may make a rental determination at any other time as the Minister thinks fit.
- (7) The Minister may, not less than 5 years after making a rental determination, undertake a review of the determination.
- (8) In this regulation—

rental determination—see subregulation (3);

rental offer means an offer specified in an application for a renewable energy feasibility licence made in response to—

- (a) an invitation for applications under section 11(1) of the Act; or
- (b) an invitation to submit a further application under section 11(5) of the Act,

of an amount that the applicant intends to pay by way of rental in respect of 1 or both of the following:

- (c) a specified year, or each year within a specified period, during the term of a renewable energy feasibility licence (if granted);
- (d) a specified year or each year within a specified period during the term of the subsequent renewable energy infrastructure licence (if granted);

successful rental offer means the rental offer made by a successful applicant for a renewable energy feasibility licence determined by the Minister under section 11 of the Act in respect of 1 or both of the following:

- (a) a specified year, or each year within a specified period, during the term of a renewable energy feasibility licence;
- (b) a specified year or each year within a specified period during the term of a subsequent renewable energy infrastructure licence.

25—Surrender of licence

- (1) For the purposes of section 55(2)(b) of the Act, the following information is prescribed:
 - (a) a statement, accompanied by supporting evidence—
 - (i) that outcomes or objectives required under a statement of environmental objectives have been achieved (or if an outcome or objective has not been achieved, the reason for this situation and information about what the licensee has done, or proposes to do, in the circumstances); and
 - (ii) that all rehabilitation required to be undertaken has been completed or is in place;
 - (b) in the case of a surrender of a part of the area of the licence—a map and description of the relevant areas, showing the area to be surrendered and the area to remain, that comply with the requirements specified by the Minister;

- (c) the final annual licence report required under regulation 26;
 - (d) the final half yearly report required under regulation 27;
 - (e) the following declarations, in the form of a statutory declaration:
 - (i) a declaration that authorised operations have ceased;
 - (ii) —
 - (A) if the licensee has no outstanding liabilities under the Act—a declaration of that fact; or
 - (B) in any other case—a declaration that the licensee has a management plan in place for the management or transfer of any outstanding liabilities under the Act;
 - (iii) a declaration that all fees, rents or penalties under the Act have been paid;
 - (iv) a declaration that outlines any legal proceedings in respect of authorised operations that involve the licensee as a party to those proceedings;
 - (f) an outline of the consultation undertaken by the licensee with each owner of the land within the licence area about surrendering the licence and any rehabilitation or other work or activities to be carried out in connection with the surrender, including any issues raised by the owner of land and how those issues have been, or will be, addressed.
- (2) For the purposes of section 55(3) of the Act, the Minister must, before accepting the surrender of a licence or a part of the area of a licence, have regard to the following matters:
- (a) the information provided to the Minister under subregulation (1);
 - (b) in considering whether to approve the surrender unconditionally under section 55(4)(a) of the Act or on conditions in accordance with section 55(4)(b) of the Act—whether, on the basis of the information provided to the Minister under subregulation (1), all outstanding obligations have been met by the licensee;
 - (c) any information provided by an administrative unit of the Public Service responsible for assisting a Minister in the administration of a prescribed Act relating to—
 - (i) the decommissioning of the infrastructure operated under the licence; or
 - (ii) rehabilitation of land within the licence area; or
 - (iii) rehabilitation of the environment.
- (3) In this regulation—
prescribed Act has the same meaning as in regulation 31.

Part 5—Reporting requirements

26—Annual licence report

- (1) Pursuant to section 46(1) of the Act, the licensee must, within 2 months after the end of each anniversary of the grant of a licence, provide to the Minister, in a manner and form determined by the Minister, a report for the relevant licence year on authorised operations (an *annual licence report*).

- (2) An annual licence report must include the following:
- (a) a summary of the authorised operations undertaken during the relevant licence year;
 - (b) a report for the relevant licence year on compliance with the Act, the licence and any relevant statement of environmental objectives;
 - (c) a report for the relevant licence year on the licensee's performance under the work program applying in relation to the licence;
 - (d) a statement concerning any action to rectify non-compliance with obligations imposed by the Act or the licence, and to minimise the likelihood of the recurrence of any such non-compliance;
 - (e) a summary of any system audits undertaken during the relevant licence year, including information on any failure or deficiency identified by the audit and any corrective action that has been, or will be, taken;
 - (f) a summary of the work undertaken to monitor the effectiveness of systems during the relevant licence year, including details of auditing, monitoring and review of the effectiveness of controls necessary for compliance with a statement of environmental objectives;
 - (g) a report on any reasonably foreseeable threats (other than threats previously reported on) that reasonably present, or may present, a hazard to infrastructure or authorised operations, and a report on any corrective action that has been, or will be, taken;
 - (h) a report on any reasonable concerns reported to the licensee during the relevant licence year by—
 - (i) any owner of land in the licence area; or
 - (ii) members of the public,relating to authorised operations, including details of any action that has been, or will be, taken to address these concerns;
 - (i) a list of all reports and data relevant to the operation of the Act generated by the licensee during the relevant licence year;
 - (j) in relation to any incidents reported to the Minister under the Act during the relevant licence year—
 - (i) an overall assessment and analysis of the incidents, including the identification and analysis of any trends that have emerged; and
 - (ii) an overall assessment of the effectiveness of any action taken to rectify non-compliance with obligations imposed by the Act or the licence, or to minimise the risk of recurrence of any such non-compliance;
 - (k) unless the relevant licence year is the last year in which the licence is to remain in force—a statement outlining authorised operations proposed for the ensuing year;
 - (l) the day on which authorised operations are due to be completed (when known);
 - (m) in the case of a hydrogen generation licence—an estimate of the volume of hydrogen and compounds of hydrogen to be generated as a result of authorised operations within the ensuing year (or such other period as determined by the Minister).

- (3) Subject to subregulation (4), for the purposes of section 46(3) of the Act, an annual licence report may be made publicly available in a manner determined by the Minister.
- (4) The Minister may, before making an annual licence report available under subregulation (3) and after consulting the licensee who provided the report, take steps to ensure that commercially or culturally sensitive information contained in the report is not publicly disclosed.
- (5) An appropriate note relating to the availability of a report under subregulation (3) must be included in the register.

27—Half yearly reports

- (1) Subregulation (2) applies to the holder of—
 - (a) a renewable energy feasibility permit; or
 - (b) a renewable energy licence; or
 - (c) a special enterprise licence.
- (2) Pursuant to section 46(1) of the Act, the holder of a permit or licence to which this subregulation applies must, within 2 months after the end of each prescribed period, provide to the Minister, in respect of each prescribed period, a renewable energy resource data report.
- (3) Pursuant to section 46(1) of the Act, the holder of a hydrogen generation licence must, within 2 months after the end of each prescribed period, provide a report to the Minister of the daily quantity of hydrogen and compounds of hydrogen generated as a result of authorised operations undertaken within that prescribed period (to be expressed in a manner determined by the Minister).
- (4) A report required under this regulation must be provided and expressed in a manner and form determined by the Minister.
- (5) For the purposes of section 46(3) of the Act—
 - (a) a report required under this regulation must not, during the designated period, be made publicly available; but
 - (b) the Minister may, during the designated period, after consultation with the licensee who provided the report, make the report or information or material in the report, publicly available in an aggregate form.
- (6) The Minister may, before making a report or information or material in a report available under subregulation (5)(b), and after consulting the licensee who provided the report, take steps to ensure that commercially or culturally sensitive information contained in the report is not publicly disclosed.
- (7) In this regulation—

designated period, in relation to a report, means—

 - (a) the term of the relevant licence or permit (inclusive of any extension or renewal of the relevant licence or permit) to which the report relates; or
 - (b) any continuous period during which the holder of the licence or permit who provided the report (or a person to whom the licence or permit is transferred or assigned) holds any licence or permit under the Act in respect of the same area (either in whole or in part) of land;

prescribed period means each period of 6 months after the day on which a permit or licence is granted;

renewable energy resource data report means a report of the attributes of a renewable energy resource measured, in a manner determined by the Minister, by the holder of the permit or licence for the relevant renewable energy resource.

28—Requirement to provide report, information or material requested by Minister

A report, information or material required to be provided on the written request of the Minister under section 46(1)(b) of the Act must be provided by the licensee within 2 months of the licensee receiving the request.

29—Requirements for report, information or material to be kept in electronic form

(1) For the purposes of section 46(2)(c) of the Act, a licensee must, during the designated period, keep in electronic form, any report, information or material provided to the Minister in accordance with section 46 of the Act.

(2) In this regulation—

designated period, in relation to a report, information or material, means—

- (a) the term of the relevant licence or permit (inclusive of any extension or renewal of the relevant licence or permit) to which the report, information or material relates; or
- (b) any continuous period during which the holder of the licence or permit who provided the report, information or material (or a person to whom the licence or permit is transferred or assigned) holds any licence or permit under the Act in respect of the same area (either in whole or in part) of land.

30—Incident reports

(1) Pursuant to section 47(1)(a) of the Act, the initial report of an immediately reportable incident must be provided to the Minister in writing and include the following information:

- (a) the name and business address of the licensee;
- (b) the name and telephone number of a person who can be contacted about the incident;
- (c) the time and date of the occurrence of the incident;
- (d) the place where the incident occurred (using appropriate coordinates or distances from significant topographical features);
- (e) in a case involving a spillage—the approximate quantity of the spillage;
- (f) the approximate size of any area affected by the incident (if relevant);
- (g) the nature and extent of any injury to a person and, if death has occurred, the cause and place of death;
- (h) the steps that have been taken to control, minimise or address any damage to any area affected by the incident.

(2) Pursuant to section 47(1)(b) of the Act, a comprehensive report of an immediately reportable incident must be made in a manner and form determined by the Minister and include the following information:

- (a) the results of any assessment or investigation of the conditions or circumstances that caused or contributed to the occurrence of the incident, including an assessment of the effectiveness of the design, procedures and management systems that were in place to prevent the incident occurring;
 - (b) the nature and extent of any damage to the environment that occurred as a result of the incident;
 - (c) the steps that have been taken, or are proposed to be taken, to clean up and rehabilitate any area affected by the incident;
 - (d) the steps that have been taken, or are proposed to be taken, to prevent a recurrence of the incident.
- (3) Pursuant to section 47(2) of the Act, a report on a reportable incident—
- (a) must be provided on a quarterly basis within 1 month after the end of each quarter; and
 - (b) must be made in a manner and form determined by the Minister and include the following information in relation to each incident to which the report relates:
 - (i) the time and date of the occurrence of the incident and the time and date of its detection;
 - (ii) the place where the incident occurred (using appropriate coordinates or distances from significant topographical features);
 - (iii) in the case of a spillage—the approximate quantity of the spillage;
 - (iv) the approximate size of any area affected by the incident (if relevant);
 - (v) the cause of the incident, including an assessment of the effectiveness of the design, procedures and management systems that were in place to prevent the incident occurring;
 - (vi) the steps that have been taken, or are proposed to be taken, to clean up and rehabilitate any area affected by the incident;
 - (vii) the steps that have been taken, or are proposed to be taken, to prevent a recurrence of the incident.
- (4) A report under subregulation (2) or (3) must be signed by a person (being either the licensee or a person authorised by the licensee) who has taken reasonable steps to review the report to ensure the accuracy of the information contained in the report.
- (5) Subject to subregulation (6), information contained in a report made under subregulation (2) or (3) may be made publicly available in a manner determined by the Minister.
- (6) The Minister may, before making information available under subregulation (5), and after consulting the licensee who provided the information, take steps to ensure that commercially or culturally sensitive information is not publicly disclosed.
- (7) An appropriate note relating to the availability of a report under subregulation (5) must be included in the register.

Part 6—Environmental impact

31—Environmental impact assessment criteria

- (1) Pursuant to section 60(2) of the Act, the Minister should aim to review the environmental impact assessment criteria at least once every 5 years.
- (2) For the purposes of section 60(3) of the Act, the following are prescribed persons or agencies:
 - (a) an administrative unit of the Public Service that, under a Minister, is responsible for the administration of a prescribed Act;
 - (b) the Environment Protection Authority;
 - (c) any other person or agency determined by the Minister, in the Minister's absolute discretion, to be relevant in the circumstances.
- (3) For the purposes of section 60(3) of the Act, the Minister must undertake consultation with a prescribed person or agency by—
 - (a) providing them with a copy of the proposed environmental impact assessment criteria or the environmental impact assessment criteria the subject of the review (as the case may be); and
 - (b) inviting them to make a written submission in relation to the proposed environmental impact assessment criteria or the environmental impact assessment criteria the subject of the review (as the case may be), which must be provided to the Minister in a manner and form, and within a period, specified to the prescribed person or agency.
- (4) In this regulation—

prescribed Act means 1 or any of the following:

- (a) the *Aboriginal Heritage Act 1988*;
- (b) the *Aquaculture Act 2001*;
- (c) the *Energy Resources Act 2000*;
- (d) the *Environment Protection Act 1993*;
- (e) the *Harbors and Navigation Act 1993*;
- (f) the *Landscape South Australia Act 2019*;
- (g) the *Mining Act 1971*;
- (h) the *Pastoral Land Management and Conservation Act 1989*;
- (i) the *Planning, Development and Infrastructure Act 2016*;
- (j) any other Act determined by the Minister by notice in the Gazette for the purposes of this definition;

prescribed person or agency—see subregulation (2).

32—Environmental impact report

- (1) For the purposes of section 61(2)(e) of the Act, an environmental impact report must be prepared in accordance with the requirements set out in this regulation.
- (2) An environmental impact report must contain the following information:
 - (a) a description of the authorised operations to be undertaken and the location at which the operations are to be undertaken;
 - (b) a description of the specific elements of the environment that can reasonably be expected to be affected by authorised operations, with particular reference to the environment and existing land uses;
 - (c) data relating to biodiversity within the area of land to which the report relates that can reasonably be expected to be affected by authorised operations;
 - (d) an assessment of the cultural and heritage values of Aboriginal and Torres Strait Islander persons and other persons within the area of land to which the report relates that can reasonably be expected to be affected by authorised operations, and the public health and safety risks inherent in undertaking those operations (insofar as these matters are relevant in the particular circumstances);
 - (e) if relevant and required by the Minister—an assessment of the continuity of supply with respect to hydrogen;
 - (f) information on consultation that has occurred in accordance with the approved consultation plan, including specific details about relevant issues that have been raised and any response to those issues (but not including confidential information).
- (3) The Minister may require that a person provide further information or materials (verified, if the Minister so requires, in a manner determined by the Minister) to assist in assessing potential events and impacts that may arise from particular authorised operations.
- (4) Information or material provided under this regulation must—
 - (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of the information and material; and
 - (c) identify any matter in relation to which there is a significant lack of relevant information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) so far as is reasonably practicable, be presented in a way that allows a person assessing the information or material to understand how conclusions have been reached and allows the information or material to be used to make an informed decision on the level of environmental impact of particular operations without the need to obtain additional technical advice; and
 - (f) be in a form determined by the Minister, be supported by such evidence as the Minister may determine and comply with any requirements of the Minister relating to the amount or detail of information that must be provided; and

- (g) be accompanied by a declaration signed or executed by a person who has taken reasonable steps to review the information and material to ensure its accuracy; and
- (h) be made publicly available in a manner determined by the Minister.

33—Consultation by licensee

- (1) For the purposes of sections 61(4) and 63(3) of the Act, a licensee must comply with the requirements of this regulation in undertaking consultation on a proposed environmental impact report or a proposed statement of environmental objectives.
- (2) The licensee must prepare a *consultation plan* to be approved by the Minister that—
 - (a) states the day on which consultation is due to commence; and
 - (b) includes a list of the following persons to be consulted as identified by the licensee:
 - (i) the owners of the land to which the report relates;
 - (ii) any Recognised Aboriginal Representative Body—
 - (A) in respect of the area of land to which the report relates; or
 - (B) in respect of a specific Aboriginal site, object or remains on the land to which the report relates;
 - (iii) if the land to which the report relates is not the subject of a native title determination and there is no Recognised Aboriginal Representative Body identified under subparagraph (ii)—any traditional owners of Aboriginal sites or objects on the land to which the report relates;
 - (iv) any affected agency or instrumentality of the Crown;
 - (v) —
 - (A) each council within the proposed release area; or
 - (B) if any part of the proposed release area falls outside of council areas—the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and
 - (c) describes the method of engagement to be used in consulting with the persons listed in the consultation plan including how the licensee intends to respond to relevant issues raised as a result of consultation; and
 - (d) focuses the engagement on the environmental objectives and assessment criteria necessary to be achieved to demonstrate that any potential consequences of the proposed authorised operations will be adequately managed and controlled; and
 - (e) identifies all relevant parts in the environmental impact report or statement of environmental objectives that are to be consulted on; and
 - (f) complies with any other requirement specified by the Minister to the licensee.
- (3) A consultation plan must be submitted to the Minister for approval at least 10 days before consultation is due to commence or within such shorter period as may be allowed by the Minister in a particular case.

- (4) At the conclusion of consultation, the licensee must prepare a report on the results of consultation, setting out—
 - (a) the persons consulted; and
 - (b) any issues of concern raised by persons consulted; and
 - (c) the steps (if any) taken or proposed to be taken by the licensee to address those concerns.
- (5) The licensee must provide the Minister with the report required under subregulation (4) at a time and in a manner and form determined by the Minister and notified to the licensee.

34—Statement of environmental objectives—prescribed information

- (1) For the purposes of section 62(2)(d) of the Act, a statement of environmental objectives must include the following information:
 - (a) objectives that relate to dealing with the impacts on various elements of the environment associated with undertaking the relevant authorised operations;
 - (b) criteria to be applied to determine whether or not the stated environmental objective has been achieved in a particular case.
- (2) The criteria required under subregulation (1)(b) must include the following:
 - (a) a description of what is to be measured and the form of the measurements that are to be used;
 - (b) the locations at which the relevant measurements are to be taken, or the manner in which such locations are to be determined;
 - (c) the frequency of any measurement or monitoring;
 - (d) any background or control data that is to be used, or the manner in which such data is to be acquired;
 - (e) what is proposed to be taken to constitute the achievement of a relevant environmental outcome (with consideration being given to any inherent errors of measurement);
 - (f) if required by the Minister—provisions with respect to assessing the ongoing fitness for purpose of facilities, plant, equipment, machinery or other infrastructure and management systems;
 - (g) if relevant—
 - (i) the gathering of information and the conduct and timing of studies; and
 - (ii) the conduct and timing of management system audits.
- (3) Any information or material provided for the purpose of a statement of environmental objectives must—
 - (a) be balanced, objective and concise; and
 - (b) state any limitations that apply, or should apply, to the use of the information or material; and

- (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister, be supported by such evidence as the Minister may determine and comply with any requirements of the Minister relating to the amount or detail of information that must be provided.
- (4) Without limiting subregulation (3), any criteria referred to in subregulation (2) must, insofar as is reasonably practicable and appropriate, be expressed in quantitative terms (rather than qualitative terms).

35—Adoption of statement of environmental objectives

For the purposes of section 62(5) of the Act, it is a requirement that a licensee who intends to rely on a statement of environmental objectives prescribed by the regulations pursuant to section 62(4) of the Act must, in the application for the licence to which the statement will relate—

- (a) indicate that it is their intention to rely on the statement; and
- (b) demonstrate that their proposed authorised operations will fall within the ambit of that statement.

36—Review of statement of environmental objectives

- (1) Pursuant to section 64(1)(b) of the Act, an approved statement of environmental objectives must be reviewed by the licensee within 6 months of the end of each prescribed period.
- (2) For the purposes of section 64(2)(a) of the Act, a review must address the following:
 - (a) changes in information or knowledge in relation to the environment to which the statement of environmental objectives relates since the statement was approved or last reviewed;
 - (b) community expectations in relation to relevant environmental issues since the statement of environmental objectives was approved or last reviewed;
 - (c) changes in the use of land since the statement of environmental objectives was approved or last reviewed;
 - (d) changes in operational practices since the statement of environmental objectives was approved or last reviewed;
 - (e) other matters determined to be relevant by the Minister.
- (3) If, as a result of a review, the Minister considers that a statement of environmental objectives should be revised, the Minister must notify the licensee of the revisions before the statement is approved under the Act.
- (4) For the purposes of section 64(3) of the Act, a licensee must, when submitting a revised statement of environmental objectives to the Minister, provide a written report to the Minister that outlines any changes made to the revised statement of environmental objectives as a result of the review.

(5) In this regulation—

prescribed period means—

- (a) the period of 5 years from the day on which the relevant statement of environmental objectives is approved; or
- (b) such other period as may be determined by the Minister in a particular case.

37—Operational management plan

(1) For the purposes of section 66(2)(d) of the Act, an operational management plan must set out the following:

- (a) policies of the licensee that address the achievement of regulatory requirements and objectives;
- (b) resources that will be applied to effectively implement the plan;
- (c) recognised industry practices and procedures that will be applied in—
 - (i) undertaking authorised operations; and
 - (ii) achieving compliance with regulatory requirements;
- (d) processes for managing physical, operational, procedural or organisational changes in respect of authorised operations;
- (e) systems that will manage risks allowing achievement of the regulatory objectives arising from undertaking authorised operations including—
 - (i) the controls that will be implemented to eliminate or reduce risks associated with authorised operations; and
 - (ii) the systems that will ensure the implemented controls will be clearly defined and achieved;
- (f) practices and procedures to ensure employees, contractors and visitors to the licence area have the appropriate competency, training (including ongoing training), induction and supervision;
- (g) mechanisms for consulting and communicating with external parties in relation to authorised operations;
- (h) systems to identify, investigate and report incidents arising from authorised operations;
- (i) practices and procedures to be followed in the event of an emergency relating to authorised operations;
- (j) the manner in which the effectiveness of a matter referred to in a preceding paragraph will be monitored, evaluated, audited and reviewed;
- (k) the manner in which the licensee intends to comply with the statement of environmental objectives in force in relation to authorised operations;
- (l) the day on which authorised operations will, or are proposed to, commence;
- (m) any other relevant matter as determined by the Minister.

- (2) If a licensee has an approved safety, reliability, maintenance and technical management plan under the *Electricity Act 1996* in respect of authorised operations, that plan is deemed to form part of the licensee's operational management plan to the extent that the plan complies with the requirements of the Act and this regulation.
- (3) In this regulation—
- regulatory objectives** means the objectives that must be achieved under the Act, these regulations, the relevant statement of environmental objectives and the conditions of the relevant licence;
- regulatory requirements** means the requirements imposed under the Act, these regulations and the conditions of the licence.

38—Scoping report

- (1) For the purposes of the definition of **prescribed licence** in section 69 of the Act, the following classes of licence are prescribed:
- (a) hydrogen generation licence;
 - (b) renewable energy infrastructure licence;
 - (c) associated infrastructure licence;
 - (d) special enterprise licence.
- (2) For the purposes of section 71(7) of the Act, a prescribed person must prepare a **consultation plan** that—
- (a) states the day on which consultation is due to commence; and
 - (b) includes a list of the following persons to be consulted as identified by the prescribed person:
 - (i) the owners of the land to which the report relates;
 - (ii) any Recognised Aboriginal Representative Body—
 - (A) in respect of the area of land to which the report relates; or
 - (B) in respect of a specific Aboriginal site, object or remains on the land to which the report relates;
 - (iii) if the land to which the report relates is not the subject of a native title determination and there is no Recognised Aboriginal Representative Body identified under subparagraph (ii)—any traditional owners of Aboriginal sites or objects on the land to which the report relates;
 - (iv) any affected agency or instrumentality of the Crown;
 - (v) —
 - (A) each council within the proposed release area; or
 - (B) if any part of the proposed release area falls outside of council areas—the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*;

- (c) describes the method of engagement to be used in consulting with the persons listed in the consultation plan, including how the prescribed person intends to respond to relevant issues raised as a result of consultation; and
 - (d) complies with any other requirement specified by the Minister to the prescribed person; and
 - (e) is provided to the Minister in a manner and form determined by the Minister and notified to the prescribed person.
- (3) A consultation plan must be submitted to the Minister for approval at least 10 days before consultation is due to commence or within such shorter period as may be allowed by the Minister in a particular case.
- (4) At the conclusion of consultation, the prescribed person must prepare a report on the results of consultation, setting out—
 - (a) the persons consulted; and
 - (b) any issues of concern raised by persons consulted; and
 - (c) the steps (if any) taken or proposed to be taken by the prescribed person to address those concerns.
- (5) A prescribed person must provide the Minister with the report required under subregulation (4) at a time and in a manner and form determined by the Minister and notified to the prescribed person.

39—Consultation by Minister

- (1) For the purposes of section 72 of the Act, the Minister must undertake public consultation required under that section in accordance with the requirements of this regulation.
- (2) The Minister must publish a notice in such manner as the Minister thinks fit—
 - (a) specifying a place at which a copy of the relevant report or statement may be obtained; and
 - (b) inviting written submissions in relation to the report or statement to be given within a period specified in the notice.
- (3) The Minister—
 - (a) must give the person who submitted the relevant report or statement a copy of any submission received by the Minister under subregulation (2)(b) within the relevant period specified by the Minister; and
 - (b) may require the person who submitted the relevant report or statement to respond to any matter raised in any such submission within a period specified by the Minister.
- (4) A submission under subregulation (2)(b) or a response under subregulation (3)(b) cannot be made on the basis that the submission or response (or part of the submission or response) will be kept confidential.
- (5) The Minister must cause copies of written submissions and responses made under this regulation to be available for inspection on the register.
- (6) The Minister may refuse to publish submissions made under this regulation on grounds that the submissions are irrelevant, offensive, or on any other grounds that the Minister thinks fit.

- (7) If the Minister decides to reject a proposed statement (or revised statement) of environmental objectives without inviting submissions on the application, the requirement to publish a notice under subregulation (2), and the requirements of subregulations (3) and (4), do not apply in relation to—
- (a) the proposed statement (or revised statement) of environmental objectives; or
 - (b) the environmental impact report on which the proposed statement is based.

40—Referral of matter to prescribed body

- (1) For the purposes of section 73(4) of the Act, the prescribed period is 30 business days from the day on which the referral is made or such other period as may be determined by the Minister and specified in the referral.
- (2) This subregulation applies to the following bodies:
- (a) an administrative unit of the Public Service that is, under a Minister, responsible for the administration of a prescribed Act;
 - (b) the Coast Protection Board under the *Coast Protection Act 1972*;
 - (c) the Technical Regulator under the *Electricity Act 1996*;
 - (d) the Environment Protection Authority under the *Environment Protection Act 1993*;
 - (e) the South Australian Country Fire Service under the *Fire and Emergency Services Act 2005*;
 - (f) the Commissioner of Highways under the *Highways Act 1926*;
 - (g) the regional landscape board under the *Landscape South Australia Act 2019* responsible for the area to which the relevant report or statement relates;
 - (h) the Native Vegetation Council under the *Native Vegetation Act 1991*;
 - (i) the Pastoral Board under the *Pastoral Land Management and Conservation Act 1989*.
- (3) If a body to which subregulation (2) applies has, in accordance with guidelines determined by the Minister for the purposes of this regulation, a relevant interest in the matters addressed in the document to which section 73 of the Act applies, the body is a prescribed body for the purposes of paragraph (d) of the definition of **prescribed body** in section 73(10) of the Act.
- (4) Guidelines determined by the Minister for the purposes of subregulation (3) must be made available on a website determined by the Minister.
- (5) In this regulation—

prescribed Act means the following:

- (a) the *Aboriginal Heritage Act 1988*;
- (b) the *Adelaide Dolphin Sanctuary Act 2005*;
- (c) the *Coast Protection Act 1972*;
- (d) the *Crown Land Management Act 2009*;
- (e) the *Energy Resources Act 2000*;

- (f) the *Environment Protection Act 1993*;
- (g) the *Harbors and Navigation Act 1993*;
- (h) the *Heritage Places Act 1993*;
- (i) the *Historic Shipwrecks Act 1981*;
- (j) the *Landscape South Australia Act 2019*;
- (k) the *Marine Parks Act 2007*;
- (l) the *Mining Act 1971*;
- (m) the *National Parks and Wildlife Act 1972*;
- (n) the *Offshore Minerals Act 2000*;
- (o) the *Opal Mining Act 1995*;
- (p) the *Pastoral Land Management and Conservation Act 1989*;
- (q) the *Petroleum (Submerged Lands) Act 1982*;
- (r) the *Planning, Development and Infrastructure Act 2016*;
- (s) the *South Australian Public Health Act 2011*;
- (t) the *River Murray Act 2003*;
- (u) the *Wilderness Protection Act 1992*;
- (v) the *Work Health and Safety Act 2012*;
- (w) any other Act determined by the Minister by notice in the Gazette to be a prescribed Act for the purposes of this definition.

Part 7—Miscellaneous

41—Notice of entry

For the purposes of section 76(2) of the Act, a notice of entry is in the required form if it—

- (a) states the full name and business address of the licensee; and
- (b) provides the name and telephone number of a person who can be contacted about the notice; and
- (c) provides a reasonable description of the operations proposed to be undertaken on the land; and
- (d) identifies the place or places where operations are to be undertaken and indicate the proposed duration of the operations; and
- (e) insofar as is relevant to the particular land—provides reasonable information on the anticipated events and consequences associated with the operations, and on the action that is proposed to be taken to manage and address those events and consequences, in order to enable any occupier of land to make an informed decision about the impact or potential impact of the operations on the land; and
- (f) if relevant—contains a statement of the owner of land's rights of objection and compensation under the Act; and

- (g) informs the owner of land that the operations to which the notice relates are conducted under the Act and that any concerns or issues associated with the conduct of the operations may be raised with the Minister (or a person or body determined by the Minister and notified to the owner for the purposes of this regulation).

42—Notice of commencement of operations to holder of resources tenement

For the purposes of section 77(2) of the Act, a notice of commencement of operations is in the required form if it—

- (a) states the full name and business address of the holder of the permit or the licensee (as the case requires); and
- (b) provides the name and telephone number of a person who can be contacted about the notice; and
- (c) provides a reasonable description of the operations proposed to be undertaken in the relevant permit or licence area; and
- (d) identifies the place or places where the operations are to be undertaken and indicate the proposed duration of the operations; and
- (e) insofar as is relevant to the particular permit or licence area—provides reasonable information on the anticipated events and consequences associated with the operations, and on the action that is proposed to be taken to manage and address those events and consequences, in order to enable any occupier of land within the permit or licence area to make an informed decision about the impact or potential impact of the operations on the land; and
- (f) if relevant—contains a statement of the rights of objection and compensation under the Act; and
- (g) informs the holder of the resources tenement that the operations to which the notice relates are conducted under the Act and that any concerns or issues associated with the conduct of the operations may be raised with the Minister (or a person or body determined by the Minister and notified to the holder of the resources tenement for the purposes of this regulation).

43—Objections

For the purposes of section 78(5)(b) of the Act, the period of 2 months is fixed.

44—Applications for warrants

For the purposes of section 87(6)(b) of the Act, the following procedures in relation to an application for the issue of a warrant are prescribed:

- (a) if the application is made personally—the grounds of the application must be verified by affidavit;
- (b) if the application is made by telephone—
 - (i) the applicant must inform the magistrate, warden or justice of the applicant's name and identify the position that they hold for the purposes of the Act, and the magistrate, warden or justice, on receiving that information, is entitled to assume, without further inquiry, that the applicant holds that position; and

- (ii) the applicant must inform the magistrate, warden or justice of the purpose for which the warrant is required and the grounds on which it is sought; and
- (iii) if it appears to the magistrate, warden or justice from the information given by the applicant that there are proper grounds to issue a warrant, the magistrate, warden or justice must inform the applicant of the facts that justify, in their opinion, the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts; and
- (iv) if the applicant gives such an undertaking, the magistrate, warden or justice may then make out and sign a warrant, noting on the warrant the facts that justify, in their opinion, the issue of the warrant; and
- (v) the warrant is taken to have been issued, and comes into force, when signed by the magistrate, warden or justice; and
- (vi) the magistrate, warden or justice must inform the applicant of the terms of the warrant; and
- (vii) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate, warden or justice an affidavit verifying the facts referred to in subparagraph (iii).

45—Confirmation of emergency direction

For the purposes of section 91(4) of the Act, confirmation of a direction will be given by a notice of confirmation, in a form determined by the Minister, given to the person to whom the emergency direction has been issued.

46—Administrative penalties

The amount of an administrative penalty fixed by Schedule 2 applies in relation to an alleged contravention of a provision of the Act specified in that Schedule.

47—Hydrogen and renewable energy register

- (1) Pursuant to section 108(2)(d) of the Act, the register must contain the following information in relation to each permit issued, or licence granted, under the Act:
 - (a) the term of the permit or licence;
 - (b) the conditions applying to the permit or licence;
 - (c) a description of the permit or licence area;
 - (d) if a permit or licence is transferred, assigned, held subject to a trust or otherwise dealt with—the details of the dealings with the permit or licence notified to the Minister under section 50 of the Act;
 - (e) any other information in relation to the permit or licence that the Minister considers appropriate to include on the register.
- (2) Pursuant to paragraph (b) of the definition of *prescribed particulars* in section 108(5) of the Act, the following particulars are prescribed:
 - (a) the name of the licensee;
 - (b) if the licensee is a body corporate—the name, address, telephone number and email address of a person who may be contacted in relation to the licence.

48—Exemptions—prescribed criteria

For the purposes of section 111(2) of the Act, the Minister must, before issuing an exemption under that section, have regard to the following insofar as they are relevant in a particular case:

- (a) whether the exemption is consistent with the purpose and objects of the Act;
- (b) whether the exemption will facilitate the avoidance of a duplication in compliance with the requirements under the Act or any other Act or law;
- (c) the nature and scale of the licence, operations or matter in relation to which an exemption is being sought;
- (d) any risks, impacts or consequences associated with granting the exemption;
- (e) the impracticality of compliance with the relevant provision of the Act or a term or condition of a licence or permit in relation to which the exemption is being sought;
- (f) whether the exemption would unfairly advantage or disadvantage a person or a class of persons;
- (g) any other factor the Minister considers relevant in the circumstances of the case.

49—Fees

The Minister may, on application or on the Minister's own initiative, in respect of a fee prescribed for the purposes of the Act—

- (a) waive, reduce or refund (in whole or in part) a fee payable by a person or a class of persons; or
- (b) allow the payment of a fee by installment.

50—Modification of Schedule 1 Part 5—transitional provisions

(1) Pursuant to section 115(3)(b) of the Act—

- (a) the definition of *relevant licence* in Schedule 1 clause 16(1) of the Act is modified such that the definition will be taken to include the holder of a renewable energy feasibility permit; and
- (b) the definition of *relevant period* in Schedule 1 clause 16(1) of the Act is modified such that a reference to a period of 6 months in that definition will be taken to be a reference to a period of 12 months; and
- (c) the definition of *new operator* in Schedule 1 clause 16(1) of the Act is modified such that the definition will be taken to include the following persons:
 - (i) a person who, immediately before the commencement of Schedule 1 Part 5 of the Act, is lawfully establishing (other than pursuant to a development authorisation) renewable energy infrastructure, associated infrastructure or a hydrogen generation facility but has not yet commenced operating the infrastructure or facility (as the case may be);
 - (ii) a person who, immediately before the commencement of Schedule 1 Part 5 of the Act, was specifically endorsed by a State agency pursuant to section 131(2)(c) of the *Planning, Development and Infrastructure Act 2016* to undertake development of a kind prescribed in Schedule 13 of the *Planning, Development and Infrastructure (General) Regulations 2017*; and

- (d) Schedule 1 clause 17(2) of the Act applies in a modified way to a new operator of a kind described in paragraph (c)(i) or (ii) such that those new operators do not require a licence or permit under the Act to establish or develop infrastructure or a facility of a kind referred to in those subparagraphs, but must not commence operating the infrastructure or facility (as the case may be) unless they are granted a relevant licence; and
 - (e) Schedule 1 clause 17(2) of the Act is modified in its application such that the subclause does not apply to a new operator who holds a development authorisation in respect of a prescribed development unless—
 - (i) the new operator has, immediately before the prescribed day, a right or interest in respect of the land sufficient to complete the prescribed development; or
 - (ii) on or after the prescribed day—the land on which the prescribed renewable energy infrastructure is, or is intended to be, established or operated ceases to be designated land; and
 - (f) Schedule 1 clause 17(3) of the Act is modified in its application such that the subclause does not apply to a person who has applied for a development authorisation in respect of a prescribed development unless—
 - (i) the person has, immediately before the prescribed day, a right or interest in respect of the land sufficient to complete the prescribed development; or
 - (ii) on or after the prescribed day—the land on which the prescribed renewable energy infrastructure is, or is intended to be, established or operated ceases to be designated land; and
 - (g) Schedule 1 clause 17(4) of the Act is modified in its application such that a reference to a new operator in that subclause will be taken not to include a new operator who holds or has applied for a development authorisation in respect of a prescribed development unless—
 - (i) the operator has, immediately before the prescribed day, a right or interest in respect of the land sufficient to complete the prescribed development; or
 - (ii) on or after the prescribed day—the land on which the prescribed renewable energy infrastructure is, or is intended to be, established or operated ceases to be designated land; and
 - (h) Schedule 1 clause 17(9) of the Act is modified in its application such that the reference to an application for a licence will be taken to be a reference to an application for a relevant licence.
- (2) To avoid doubt, for the purposes of this regulation, a person will be taken not to have a right or interest in respect of land sufficient to complete a prescribed development if the person—
- (a) requires the approval of a person or body in order to use the land for the purposes of the prescribed development; and
 - (b) that approval has not, on or before the prescribed day, been given.
- (3) Work that has not been certified as complying with the relevant Building Rules in accordance with the requirements of Schedule 13 of the *Planning, Development and Infrastructure (General) Regulations 2017* will be taken to be development within the meaning of those regulations for the purposes of subregulation (1)(c)(ii) if the work is so certified before the work commences.

(4) In this regulation—

prescribed day means the day prescribed by the Minister by notice in the Gazette for the purposes of Schedule 1, clause 17(3) of the Act;

prescribed development means the establishment and operation on designated land of prescribed renewable energy infrastructure;

prescribed renewable energy infrastructure means renewable energy infrastructure that has the primary purpose of generating or obtaining energy from a renewable energy resource.

51—Transitional regulation—Schedule 1 clause 17 of Act

In accordance with Schedule 1 clause 17(12) of the Act, the following provisions of the Act do not apply in relation to the grant or renewal of a relevant licence under Schedule 1 clause 17 of the Act:

- (a) section 32;
- (b) section 39;
- (c) section 43.

Schedule 1—Provisions of Act applying to renewable energy feasibility permit

Section 32(2)

Section 38

Section 39

Section 43

Sections 46 to 48 (inclusive)

Section 49(1)

Section 50

Section 54

Section 55

Section 83

Section 89

Sections 90 to 92 (inclusive)

Section 108(2)(a)

Schedule 2—Administrative penalties

Provision of Act	Amount of administrative penalty
Section 42(9)	\$5 000
Section 44	\$5 000
Section 46(2)	\$5 000
Section 47(1)	\$10 000
Section 47(2)	\$10 000
Section 83(2)	\$10 000

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 11 July 2024

No 66 of 2024

South Australia

Mining (Exempt Land) Amendment Regulations 2024

under the *Mining Act 1971*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Mining Regulations 2020*

- 3 Amendment of regulation 5—Exempt land—prescribed distance
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mining (Exempt Land) Amendment Regulations 2024*.

2—Commencement

These regulations come into operation on the day on which the *Hydrogen and Renewable Energy Act 2023* comes into operation.

Part 2—Amendment of *Mining Regulations 2020*

3—Amendment of regulation 5—Exempt land—prescribed distance

- (1) Regulation 5—before subregulation (1) insert:
 - (a1) For the purposes of section 9(1)(ca) of the Act, the prescribed distance is 25 m.
- (2) Regulation 5(1)—delete "This regulation" and substitute:
 - Subregulation (2)
- (3) Regulation 5(2)—delete "regulation" and substitute:
 - subregulation

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 11 July 2024

No 67 of 2024

South Australia

Family and Community Services Regulations 2024

under the *Family and Community Services Act 1972*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation

Part 2—Residential care facilities

- 4 Management etc of residential care facilities
- 5 Prohibited treatment of children in residential care facilities
- 6 Use of force against children in residential care facilities

Schedule 1—Repeal of *Family and Community Services Regulations 2009*

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Family and Community Services Regulations 2024*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations—

Act means the *Family and Community Services Act 1972*;

residential care facility means a residential care facility established under section 36 of the Act.

Part 2—Residential care facilities

4—Management etc of residential care facilities

The Chief Executive must ensure that adequate arrangements are in place in a residential care facility—

- (a) to maintain the physical, psychological and emotional wellbeing of children placed in the facility; and
- (b) to promote the social, cultural and educational development of children placed in the facility; and
- (c) to ensure, through the implementation of operational procedures, the proper management of the facility.

5—Prohibited treatment of children in residential care facilities

Subject to these regulations, a child placed in a residential care facility must not be subjected to any of the following kinds of treatment:

- (a) corporal punishment of any form (that is, any action that inflicts or is intended to inflict physical pain or discomfort);
- (b) isolation from other children in the facility by, for example, being kept apart from the normal routine of the facility;
- (c) psychological pressure or emotional abuse of any form;
- (d) deprivation of medical attention, basic food or drink, clothing or any other essential item;
- (e) deprivation of sleep;
- (f) unjustified deprivation of contact with persons outside the facility;
- (g) any other treatment that is cruel, inhuman or degrading.

6—Use of force against children in residential care facilities

- (1) An employee in a residential care facility may only use such force against a child placed in the facility as is reasonably necessary in any particular case—
 - (a) to prevent the child from harming themselves or another person; or
 - (b) to prevent the child from causing significant damage to property.
- (2) However, an employee in a residential care facility may only use force under subsection (1)—
 - (a) as a last resort to ensure immediate safety where no other intervention strategies are available; and
 - (b) in the least restrictive way; and
 - (c) for the shortest period possible,(and the force used must be proportionate in the circumstances).
- (3) An employee in a residential care facility who uses force against a child placed in the facility must, as soon as is reasonably practicable after the use of force—
 - (a) prepare a written report (in a manner and form determined by the Chief Executive) relating to the use of force setting out the following:
 - (i) the name of the child;
 - (ii) the name of each employee in the facility involved in, or who witnessed, the use of force;
 - (iii) the date, time and location in the facility where the use of force took place;
 - (iv) the nature of the force used and the purpose for which, or circumstances in which, the force was used;
 - (v) any follow-up action undertaken as a result of the use of force; and
 - (b) cause the report to be verified in accordance with subregulation (4); and
 - (c) submit the report (and a copy of any report referred to in subregulation (4)(b)) to the supervisor of the facility.

- (4) A written report is to be verified by each employee who was involved in, or who witnessed, the use of force, doing 1 or both of the following:
- (a) certifying on the written report, in accordance with any determination of the Chief Executive, that the report is an accurate account of the use of force against the child;
 - (b) providing a separate written report setting out such of the matters referred to in subregulation (3)(a) as may be known to the employee.
- (5) A child placed in a residential care facility against whom force was used must be offered a reasonable opportunity to prepare an account of the use of force and the incident leading to the use of force.
- (6) If a child accepts an offer under subregulation (5), the account must be—
- (a) written, signed and dated by the child; or
 - (b) if the child cannot write—
 - (i) written on the instructions of the child, and signed and dated, by a person nominated for the purpose by the child; and
 - (ii) signed by the child,
- (and such account must be kept together with the report required to be prepared under subregulation (3)).
- (7) A child may nominate any of the following persons for the purposes of subregulation (6)(b)(i):
- (a) the child's case manager or case worker;
 - (b) a lawyer;
 - (c) a cultural advisor;
 - (d) any other adult,
- (but any such person nominated may not be a person who was present during the use of force against the child or the relevant incident that led to the use of force).

Schedule 1—Repeal of *Family and Community Services Regulations 2009*

The *Family and Community Services Regulations 2009* are repealed.

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 11 July 2024

No 68 of 2024

STATE GOVERNMENT INSTRUMENTS

BUILDING WORK CONTRACTORS ACT 1995

Exemption

Take notice that, pursuant to Section 45 of the *Building Work Contractors Act 1995*, I, Rita McPhail as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

THOMAS DI PAOLO (BLD 116181)

SCHEDULE 2

Construction of verandahs and an addition to an existing dwelling at Allotment 8 Filed Plan 108299 being a portion of the land described in Certificate of Title Volume 5192 Folio 251, more commonly known as 15 Stuckey Avenue, Underdale SA 5032.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 3 July 2024

RITA MCPHAIL
Director, Customer and Transformation
Delegate for the Minister for Consumer and Business Affairs

BUILDING WORK CONTRACTORS ACT 1995

Exemption

Take notice that, pursuant to Section 45 of the *Building Work Contractors Act 1995*, I, Rita McPhail as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

DIRK GERALD PRITCHARD (BLD 226624)

SCHEDULE 2

Construction of a carport and an addition to an existing dwelling at Section 678 Hundred of Kuitpo, being a portion of the land described in Certificate of Title Volume 5300 Folio 252, more commonly known as 328 Burma Road, Yundi SA 5172.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 3 July 2024

RITA MCPHAIL
Director, Customer and Transformation
Delegate for the Minister for Consumer and Business Affairs

BUILDING WORK CONTRACTORS ACT 1995

Exemption

Take notice that, pursuant to Section 45 of the *Building Work Contractors Act 1995*, I, Rita McPhail as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

KIRK WINTERS (BLD 54370)

SCHEDULE 2

Construction of a garage, trailer parking structure and verandah at Allotment 1271 Deposited Plan 11271 being a portion of the land described in Certificate of Title Volume 6122 Folio 541, more commonly known as 20 Portia Street, Flagstaff Hill SA 5159.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 9 July 2024

RITA MCPHAIL
Director, Customer and Transformation
Delegate for the Minister for Consumer and Business Affairs

ENERGY RESOURCES ACT 2000

Statement of Environmental Objectives—5 Year Review

Pursuant to Section 101(3) of the *Energy Resources Act 2000* (the Act) I, Benjamin Zammit, Executive Director Regulation and Compliance Division, Department for Energy and Mining do hereby publish the following document as having been approved as a statement of environmental objectives under the Act.

Documents:

- Banjo Energy Pty Ltd, PEL 182 Banjo Work Area Geophysical Operations Statement of Environmental Objectives, April 2024

This document is available for public inspection on the Environmental Register section of the following webpage:

<https://www.energymining.sa.gov.au/industry/energy-resources/regulation/environmental-register>

or at the Public Office determined pursuant to Section 107(1) of the Act to be at:

Energy Resources Division
Customer Services
Level 4
11 Waymouth Street
Adelaide SA 5000

Dated: 11 July 2024

BENJAMIN ZAMMIT
Executive Director
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

ENERGY RESOURCES ACT 2000

Surrender of Gas Storage Exploration Licences—GSELS 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 668, 669, 670 and 671

Notice is hereby given that I have accepted the surrender of the abovementioned exploration licences under the provisions of the *Energy Resources Act 2000*, pursuant to delegated powers dated 27 November 2023.

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
GSELS 612, 613, 614, 615 GSELS 616, 617, 618 GSELS 619, 620, 621, GSELS 622, 623, 624, 625	Tri-Star Energy Company	Simpson Basin	24 November 2021	MER F2013/000156 MER F2013/000157 MER F2013/000158 MER F2013/000159
GSELS 668, 669, 670, 371	Tri-Star Energy Company	Pedirka Basin	24 November 2021	MER-2017/0487

Date: 3 July 2024

BENJAMIN ZAMMIT
Executive Director
Regulation and Compliance Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

ENVIRONMENT PROTECTION ACT 1993

SECTION 69

Revocation of Collection Depot Approval

I, Nicholas Stewart, Delegate of the Environment Protection Authority (the Authority), pursuant to Section 69 of the *Environment Protection Act 1993 (SA)* (‘the Act’) hereby:

Revoke the approval of the collection depot identified by reference to the following matters, which previously received all containers belonging to a class of containers that were approved as Category B Containers:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in Columns 4-6 of Schedule 1 of this Notice.

Dated: 11 July 2024

NICHOLAS STEWART
Delegate of the Environment Protection Authority

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title/Volume	Collection Area
Welland Transfer Station	Cleanaway Pty Ltd	Cleanaway Pty Ltd	42 Musgrave Avenue	Welland	5105/966	Metro

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption ME9903315

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, Samantha Walters, Floodplain Ecologist, Department for Environment and Water of 28 Vaughan Terrace, Berri SA 5343 (the ‘exemption holder’) and the nominated agents listed in Schedule 3, are exempt from Section 70 and 71(1)(b) and 71(2) of the *Fisheries Management Act 2007* and Regulation 5 and Clauses 40, 42 and 44 of Schedule 6 of the *Fisheries Management (General) Regulations 2017* but only insofar as the exemption holder or the nominated agents may engage in fish monitoring and turtle surveying activities within the waters described in Schedule 1, using the gear specified in Schedule 2 (the ‘exempted activity’), subject to the conditions set out in Schedule 3, from 6 July 2024 until 30 June 2025, unless varied or revoked earlier.

SCHEDULE 1

The waters of Chowilla, Katarapko and Pike Floodplains within the South Australian Riverlands and off-river Wetlands between Blanchetown and Chowilla.

SCHEDULE 2

- 14 x single wing fyke nets (4mm mesh, 5m wing);
- 14 x double wing fyke nets (4mm mesh, 2 x 5m wings);
- 6 x dip nets (4mm mesh, small and medium);
- 3 x seine nets (4mm mesh, 5m length);
- 9 x gill nets (76, 102 and 127mm mesh, 15m length);
- 8 x baited crab traps or modified cathedral traps (850 x 550 x 230mm);
- 4 x Pyramid trap (600 x 600 x 150mm).

SCHEDULE 3

1. The exemption holder will be deemed responsible for the conduct of all agents conducting the exempted activities under this notice. Any person conducting activities under this exemption must be provided with a copy of this notice, which they must have signed as an indication that they have read and understand the conditions under it.
2. All native fish taken pursuant to the exempted activity must be returned to the water immediately upon measuring at the locations where they were captured.
3. All non-native species of fish caught during the exempted activity must be destroyed and disposed of appropriately.
4. All nets left unattended must be clearly marked with name and Ministerial exemption number on a tag if set close to shore or on a 2L buoy if set away from shore.
5. Modified cathedral traps/crab traps must be fitted with an additional vertical funnel and be removed from the water and cleared every 12 hours.
6. All nets, other than baited crab traps or modified cathedral traps, left unattended must be removed from the water and cleared every 16 hours.
7. The following employees of the Department for Environment and Water are the nominated agents of the exemption holder:
 - Grace Hodder
 - Casey O’Brien
 - Richard Walsh
 - Michelle Denny
 - Brett Ibbotson
 - Alison Stokes

8. The exemption holder must notify the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 at least 2 hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption notice at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related questions.
9. The exemption holder must provide a written report detailing the outcomes of the collection of organisms pursuant to this notice to PIRSA, Fisheries and Aquaculture, (PIRSA.Ministerialexemptionsandpermits@sa.gov.au) upon completion, giving the following details:
 - the date, soak time and location of collection;
 - the number of nets or traps used on each date;
 - the description of all species surveyed; and
 - the number of each species surveyed.
10. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested.
11. The exemption holder must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any regulations made under that Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including but not limited to the *River Murray Act 2003*.

Dated: 5 July 2024

PROFESSOR GAVIN BEGG
Executive Director, Fisheries and Aquaculture
Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption ME9903320

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, I Professor Gavin Begg, Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby declare that the holder of a Commercial Lakes and Coorong Fishery Licence or a River Fishery Licence or their registered master (the 'exemption holders') are exempt from Section 53(2) of the *Fisheries Management Act 2007* and Regulation 5(a) and Schedule 6 of the *Fisheries Management (General Regulations) 2017* but only insofar as the exemption holder may use a 'commercial yabby trap' as described in Schedule 1, to take Yabby in inland waters under their fishery licence (exempted activity) subject to the conditions specified in Schedule 2 from 00:01 hrs on 6 July 2024 to 23:59 hrs on 30 June 2025, unless varied or revoked earlier.

SCHEDULE 1

For the purposes of this exemption a commercial yabby trap is a trap constructed of a rigid, non-collapsible frame enclosed with wire mesh that:

- Must not be more than 1 metre at its greatest dimension;
- Must not have more than 2 entrance funnels;
- Must not have any entrance funnel that exceeds 4.5 centimetres at its narrowest part, or, where the commercial yabby trap is open at the top with a 20cm x 20cm square opening, must not have any entrance funnel that exceeds 7.5cm at its narrowest part;
- Must be buoyed with a 2 litre white float displaying Licence numbers.

SCHEDULE 2

1. The exemption holder must not cause the total number of commercial yabby traps used at any one time to exceed the combined total number of yabby pot and/or pyramid net devices endorsed on their fishery licence, subject to the conditions of the licence.
2. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. This notice must be produced to a Fisheries Officer if requested.
3. While engaging in the exempted activity, the exemption holder must ensure that all interactions with the commercial yabby trap from air-breathing animals or any other threatened, endangered and protected species (TEPS) are reported in the Department of Primary Industries and Regions wildlife interactions logbook, or electronic report once available.
4. The exemption holder shall not contravene or fail to comply with the *Fisheries Management Act 2007*, or any regulations made under that Act except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *River Murray Act 2003*. The exemption holders and their agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a specially protected area.

Dated: 5 July 2024

PROFESSOR GAVIN BEGG
Executive Director, Fisheries and Aquaculture
Delegate of the Minister for Primary Industries and Regional Development

HERITAGE PLACES ACT 1993

Notice to Extend the Period for Written Submissions on Whether to Confirm an Entry in the South Australian Heritage Register

Notice is hereby given, pursuant to Section 18(1a) of the *Heritage Places Act 1993*, that I, Susan Close, Minister for Climate, Environment and Water, extend the period for written submissions on whether or not to confirm the entry of the Crown and Anchor Hotel, Kaurna Country, 196 Grenfell Street, Adelaide 5000, provisionally entered in the South Australian Heritage Register on 26 April 2024, by three months in the public interest. Any person can make a written representation to the South Australian Heritage Council on whether or not to confirm the entry by 3 November 2024.

Dated: 3 July 2024

SUSAN CLOSE
Minister for Climate, Environment and Water

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
36 Gillerton Terrace, Edithburgh SA 5583	Allotment 22 Deposited Plan 76365 Hundred of Melville	CT6009/814
8 Arlington Terrace, Welland SA 5007	Allotment 121 Deposited Plan 1690 Hundred of Yatala	CT5492/53

Dated: 11 July 2024

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority
Delegate of the Minister for Housing and Urban Development

HYDROGEN AND RENEWABLE ENERGY ACT 2023

Hydrogen and Renewable Energy (Fees) Notice 2024

under the *Hydrogen and Renewable Energy Act 2023*

1—Short title

This notice may be cited as the *Hydrogen and Renewable Energy (Fees) Notice 2024*.

Note—

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.

2—Commencement

This notice has effect on 11 July 2024.

3—Interpretation

In this notice—

Act means the *Hydrogen and Renewable Energy Act 2023*;

regulations means the *Hydrogen and Renewable Energy Regulations 2024*.

4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act and the regulations.

Schedule 1—Fees

1	Renewable energy feasibility permit	
	(a) application fee	\$5,329.00
	(b) annual fee	\$4,507.00 or \$5.00 per km ² or part of a km ² in the area of the permit, whichever is the greater
	(c) renewal fee	\$2,666.00
2	Hydrogen generation licence	
	(a) application fee	\$5,329.00
	(b) annual fee	\$4,507.00 or \$2,407.00 per km ² or part of a km ² in the area of the licence, whichever is the greater
	(c) renewal fee	\$2,666.00

3	Renewable energy feasibility licence	
	(a) application fee	\$5,329.00
	(b) annual fee	\$4,507.00 or \$5.00 per km ² or part of a km ² in the area of the licence, whichever is the greater
	(c) renewal fee	\$2,666.00
4	Renewable energy infrastructure licence	
	(a) application fee	\$5,329.00
	(b) annual fee	\$4,507.00 or \$50.00 per km ² or part of a km ² in the area of the licence, whichever is the greater
	(c) renewal fee	\$2,666.00
5	Renewable energy research licence	
	(a) application fee	\$5,329.00
	(b) annual fee	\$4,507.00
	(c) renewal fee	\$2,666.00
6	Associated infrastructure licence	
	(a) application fee	\$5,329.00
	(b) annual fee—	
	(i) for a permanent activity	\$4,507.00 or \$2,250.00 per km ² or part of a km ² in the area of the licence, whichever is the greater
	(ii) in any other case	\$4,507.00
	(c) renewal fee	\$2,666.00
7	Special enterprise licence	
	(a) application fee—	
	(i) concept phase	\$28,049.00
	(ii) application phase	\$280,488.00
	(b) annual fee	\$4,507.00 or \$50.00 per km ² or part of a km ² in the area of the licence, whichever is the greater
8	Application for approval for change in control of holder of licence	\$2,666.00
9	Application for deferment, variation or reduction in the work to be carried out under an approved work program	\$2,666.00
10	Application for alteration of licence area	\$2,666.00
11	Application for consent for dealing with licence	\$2,666.00
12	Fee payable to Technical Regulator under the <i>Electricity Act 1996</i> for issue of certificate required under Regulation 18(1)(k) of the regulations	\$410.00

Made by the Minister for Energy and Mining

on 21 June 2024

HYDROGEN AND RENEWABLE ENERGY ACT 2023
SCHEDULE 1, CLAUSE 16(1)—TRANSITIONAL PROVISIONS
Notice of “prescribed day”

The prescribed day for the purposes of the definition of *prescribed day* in Schedule 1, Clause 16(1) of the *Hydrogen and Renewable Energy Act 2023* is 11 July 2024.

Dated: 2 July 2024

HON ANASTASIOS KOUTSANTONIS MP
Minister for Energy and Mining

JUSTICES OF THE PEACE ACT 2005

SECTION 4

*Notice of Appointment of Justices of the Peace for South Australia
by the Commissioner for Consumer Affairs*

I, Martyn Campbell, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to Section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 24 July 2024 and expiring on 23 July 2034:

Deborah ZIERNICKI
Andrew Dean WATHERSTON
Lynne Heather WALDEN
Dennis James TOOP
Maree Violet THOMPSON
Kym James SMITH
Mark SEKERIN
Peter David SCHWENNESEN
Giovanni SAVINO
Natajshia Jeanette RIMINGTON
Alpeshkumar Dasharathbhai PATEL
Trevor Lawrence OVERY
David John O'DONNELL
Jim Arthur NIKAS
Francesco Battiste MONTEROSSO
David Hugh MONCK
Samantha MIGNONE-EVANS
Natalie Anne LUZECKI
Dean Norman LAMBERT
Lai-Fan Mandy LAM
Laam Karin KONG
Gary Charles KITE
Sue-Anne KENNY
Darren John KEENAN
Denise Gayle JELFS
Julie Claire HOWARTH
Robin Keith HOOD
Peter John HOMBURG
Adrianus Peter HERSBACH
Robert Craig HASKARD
Corey Steven HARRISS
Dennis Leigh GOODCHILD
Pauline Anne GLOVER
Kerry Annette GILES
Robert Brian FOREMAN
Mary Caroline DIENHOFF
Andrew Cameron Kenneth DICKIN
Rino DE FAZIO
Toni Melissa DAVIES
Stacey Lee DAVIDSON
Gregory John CONNOR
Natasha Lilian Kay CHISHOLM
Melanie Edith CHAPMAN
Graham BRAMMER
Graeme Patrick BOURKE
Lorenzo Alfonso AREVALO RODRIGUEZ
Edward Allan ALCOCK

Dated: 9 July 2024

MARTYN CAMPBELL
Commissioner for Consumer Affairs
Delegate of the Attorney-General

JUSTICES OF THE PEACE ACT 2005

SECTION 4

*Notice of Appointment of Justices of the Peace for South Australia
by the Commissioner for Consumer Affairs*

I, Martyn Campbell, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to Section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 17 July 2024 and expiring on 16 July 2034:

John Julius ZURINGER
Perry Alan WILL
John Gerard TONS
Brenton Craig STEVENS
Silvia RULLA
Vasilios PIZIMOLAS
Stephen Christopher OSBORNE
Mark Jeffrey NEWMAN
Richard Colin MURRAY
Vincent Dudley MONTEROLA
Peter Ralph MAY
Arthur James MANSER
Michael John MAFFEI
Diane Julie LOMAX
Sophia Maree LEMKE
Christopher Frederick KENNETT
Anne Marie JUSAITIS
Leonie Marie INSCH
Errol Matthew FREDERICKS
Jane Elizabeth FLETCHER

Dated: 9 July 2024

MARTYN CAMPBELL
Commissioner for Consumer Affairs
Delegate of the Attorney-General

MENTAL HEALTH ACT 2009

Approved Mental Health Professional

Notice is hereby given in accordance with Section 94(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following persons as an Authorised Mental Health Professional:

Aarron Sheldon
Bertha Madya
Bhawana Sharma
Caroline Stacey
Dale Sawley
Janine Duthie
Kate Maddigan
Kylie Blackshall
Laura Miller
Lauren Bright
Michelle Field
Nicola Thompson
Rohit Verma
Shonagh Trudgen
Simon Burnside
Stacey Hayton
Syed Shah Sultan
Tanya Shephard
Yue Zhao

A person's determination as an Authorised Mental Health Professional expires three years after the commencement date. The Chief Psychiatrist may vary or revoke this determination at any time.

Dated: 11 July 2024

DR J. BRAYLEY
Chief Psychiatrist

MENTAL HEALTH ACT 2009

Authorised Medical Practitioner

Notice is hereby given in accordance with Section 93(1) of the *Mental Health Act 2009* that the Chief Psychiatrist has determined the following person as an Authorised Medical Practitioner:

Chiron Lorenz Risien Bartholomeusz

A determination will be automatically revoked upon the person being registered as a specialist psychiatrist with the Australian Health Practitioner Regulation Agency and as a fellow of the Royal Australian and New Zealand College of Psychiatrists.

Dated: 11 July 2024

DR JOHN BRAYLEY
Chief Psychiatrist

MENTAL HEALTH ACT 2009

Conditions placed on an Approved Treatment Centre

Notice is hereby given, in accordance with Section 96 of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined from 11 July 2024 that the determination of Glenside Campus, 2 Karrayarta Drive, Glenside SA 5065, as an Approved Treatment Centre will be subject to a temporary condition.

The Mental Health Triage Service, based at this site, may continue to operate as an emergency mental health telephone service subject to a requirement that it:

- Provides a risk mitigation plan to address the needs of people who may abandon calls
- Lodge a plan with the Office outlining the required capacity and capability of Mental Health Triage to respond to calls promptly, in order to reduce wait times and the rate of call abandonment.
- Delivers monthly reporting of Mental Health Triage performance, in a form agreed by the Chief Psychiatrist and in alignment with Mental Health Triage data governance requirements.

These conditions will be in place for a period of six months.

Dated: 11 July 2024

DR J. BRAYLEY
Chief Psychiatrist

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

**NOTICE OF CONFIRMATION OF
ROAD PROCESS ORDER***Road Closure—Un-made Public Road, South Hummocks*

By Road Process Order made on 14 March 2024, the Barunga West Council ordered that:

1. Whole of the Un-made Public Road, South Hummocks, situated between Allotment Comprising Pieces 11 and 12 in Deposited Plan 134100, Hundred of Kulpara, more particularly delineated and lettered 'A' in Preliminary Plan 24/0005 be closed.
2. Transfer the whole of the land subject to closure lettered 'A' to Tigerr Consulting Pty. Ltd. and Synlab Pty. Ltd. in accordance with the Agreement for Transfer dated 14 March 2024 entered into between the Barunga West Council and both Tigerr Consulting Pty. Ltd. and Synlab Pty. Ltd.

On 17 May 2024 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 134100 being the authority for the new boundaries.

Pursuant to Section 24(5) of the *Roads (Opening and Closing) Act 1991*, notice of the Order referred to above and its confirmation is hereby given.

Dated: 11 July 2024

B. J. SLAPE
Surveyor-General

2024/00592/01

SOUTH AUSTRALIAN SKILLS ACT 2008

Part 4—Apprenticeships, Traineeships and Training Contracts

Pursuant to the provision of the *South Australian Skills Act 2008*, the South Australian Skills Commission (SASC) gives notice that determines the following qualification and training contract conditions for Trades or Declared Vocations, in addition to those published in past Gazette notices.

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period	Supervision Level Rating
Defence Industry Worker	52904WA	Certificate III Defence Industry Pathways	12	60	Medium
Condition/s	Not suitable for existing workers				

Dated: 9 July 2024

COMMISSIONER CAMERON BAKER
Chair of the South Australian Skills Commission

WATER INDUSTRY ACT 2012

SOUTH AUSTRALIAN WATER CORPORATION

Fees and Charges

Pursuant to Section 36 of the *Water Industry Act 2012* the following charges for water, sewerage and associated services apply. These charges are fixed for the period 11 July 2024 to 31 December 2024.

Pursuant to the *Water Industry Regulations 2012* (Regulations 38) and Government Gazette 6 June 2013, SA Water may levy an availability charge despite the fact that the land is not connected to SA Water's infrastructure. All charges for sewerage services are based on the property valuation of the land. Property values are set annually by the Valuer-General for the next financial year.

WATER FEES AND CHARGES
Cape Jaffa Water Supply Area

Description	Charge
Availability Charge (Fixed Charge)	\$99.75 per quarter
Water use charge	\$3.14 per kilolitre

Scales for Calculation of Sewerage Charge

Quarterly sewerage charges (fixed charges) are based on the greater of the minimum charge or property-based charge (if not otherwise specified in this Gazette).

Property Based Charge: Scale	Minimum Quarterly Fixed Charge
\$0.37125 per \$1,000 of capital value	\$159.90

Dated: 8 July 2024

D. RYAN
Chief Executive
South Australian Water Corporation

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999 (SA)—SECTION 198

Adoption of Amended Community Land Management Plan—Community (Social) Housing

Notice is hereby given to adopt the Amended Community Land Management Plan, pursuant to Section 198 of the *Local Government Act 1999* (SA), of the Community (Social) Housing comprised in the following Certificates of Title:

Name of Property	Certificate of Title
<i>Lowe Street</i>	
17 Lowe Street	Volume 6112/Folio 420
19 Lowe Street	Volume 6112/Folio 419
<i>George Court</i>	
25-27 George Court	Volume 5430/Folio 633
<i>Hocking Place</i>	
9-13 Hocking Place	Volume 5119/Folio 593

Dated: 11 July 2024

MICHAEL SEDGMAN
Acting Chief Executive Officer

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the Council of the Corporation of the City of Adelaide at its meeting held on 25 June 2024 and for the year ending 30 June 2025:

1. Adopted for rating purposes the valuations prepared by Westlink Consulting and Valuers employed by the Council of annual values applicable to land within the Council area totalling \$1,424,444,685 of which \$1,137,206,870 is for rateable land.
2. Declared differential general rates based upon the use of land as follows:
 - 2.1 0.111646 rate in the dollar for all rateable land with a Category 1 residential land use;
 - 2.2 0.223293 rate in the dollar for all rateable land with a Category 8 vacant land use; and
 - 2.3 0.136813 rate in the dollar for all other rateable land with all other land uses in the Council area.
3. Declared a separate rate of 0.001727 rate in the dollar (the Regional Landscape Levy) on all rateable land in the Council area which falls within the Green Adelaide Region to recover the amount of \$1,872,596 payable to the Green Adelaide Board (formerly the Adelaide and Mount Lofty Ranges Natural Resource Management Board).
4. Declared a separate rate of 0.031743 rate in the dollar (the Rundle Mall Differential Separate Rate) on all rateable land except that with a residential land use within the 'Rundle Mall Precinct' (being the area described below) (the Precinct) to fund marketing and management of the Precinct, including actions and initiatives to promote Rundle Mall as a destination for shopping and to enhance the vibrancy of the Precinct:
 - 4.1 the area bounded by:
 - 4.1.1 Southern alignment of North Terrace between Pulteney Street and King William Street
 - 4.1.2 Eastern alignment of King William Street between North Terrace and Grenfell Street
 - 4.1.3 Northern alignment of Grenfell Street between King William Street and Pulteney Street
 - 4.1.4 Western alignment of Pulteney Street between Grenfell Street and North Terrace.

Dated: 11 July 2024

M. SEDGMAN
Acting Chief Executive Officer

CITY OF BURNSIDE

Adoption of Valuations and Declaration of Rates

Notice is hereby given that on 24 June 2024 the City of Burnside, pursuant to the provisions of the *Local Government Act 1999*, for the financial year ending 30 June 2025:

1. Adopted the capital valuations to apply in its area for rating purposes for the 2024/25 financial year as provided by the Valuer-General totalling \$29,253,886,320.
2. Declared differential general rates in the dollar based on capital value as follows:
 - (a) 0.172260 cents in the dollar on rateable land of Category (a)—Residential, Category (b)—Commercial Shop, Category (c)—Commercial Office, Category (d)—Commercial Other, Category (e)—Industry Light, Category (f)—Industry Other, Category (g)—Primary Production and Category (i)—Other.
 - (b) 0.430650 cents in the dollar on rateable land of Category (h)—Vacant Land.
3. Resolved that the minimum amount payable by way of general rates in respect of rateable land within the area be \$1,052; and
4. Declared a Separate Rate (Regional Landscape Levy) of 0.007470 cents in the dollar on all rateable land in the Council's area and within the area of the Green Adelaide Landscape Board Area.

Dated: 11 July 2024

C. COWLEY
Chief Executive Officer

CAMPBELLTOWN CITY COUNCIL

Adoption of Valuations and Declaration of Rates

Notice is hereby given that at its meeting held on 2 July 2024, the Corporation of the City of Campbelltown for the financial year ending 30 June 2025 resolved:

Adoption of Valuation

To adopt for rating purposes the most recent valuations supplied by the Valuer-General of the capital value of land within the Council's area totalling \$20,803,868,000 of which \$20,146,892,887 is rateable and \$656,975,113 is non-rateable.

Declaration of General Rate for the Year 2024/2025

To declare a general rate of 0.00242837 for each dollar of the assessed capital value of rateable land within the Council's area.

Minimum Rate

To fix a minimum amount payable by way of general rates of \$1,171 in respect of rateable land within the Council's area.

Regional Landscape Levy

To declare a separate rate of 0.00007204 in the dollar on the capital value of all rateable land within the Council's area to reimburse the Council for amounts contributed to the Greening Adelaide Board.

Dated: 11 July 2024

P. Di Iulio
Chief Executive Officer

CITY OF CHARLES STURT

Adoption of Valuations and Declaration of Rates

Notice is hereby given that at its meeting held on 24 June 2024, the Council for the financial year ending 30 June 2025:

1. Adopted the most recent valuations of the Valuer-General available to the Council of the Capital Value of land within the Council's area, totalling \$53,318,252,520 (of which \$51,385,897,560 is for rating purposes).
2. Declared differential general rates as follows:
 - (a) 0.199464489 cents in the dollar on rateable land of Category 1;
 - (b) 0.6617788370 cents in the dollar on rateable land of Categories 2, 3 and 4;
 - (c) 0.7273714660 cents in the dollar on rateable land of Categories 5 and 6;
 - (d) 0.3462941176 cents in the dollar on rateable land of Category 7;
 - (e) 0.589482212 cents in the dollar on rateable land of Category 8;
 - (f) 0.2668587450 cents in the dollar on rateable land of Category 9.
3. Declared a minimum amount payable by way of general rates of \$1,285.
4. Declared a separate rate of 0.00709291 cents in the dollar on all rateable land in the Council area in respect of the Green Adelaide Board Regional Landscape Levy.

Dated: 11 July 2024

P. SUTTON
Chief Executive Officer

CITY OF MOUNT GAMBIER

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the Council, in exercise of the powers contained in Chapters 8, 9 and 10 of the *Local Government Act 1999* and the *Landscape South Australia Act 2019* at a meeting held on 25 June 2024 and for the financial year ending 30 June 2025:

1. Adoption of Valuations

Adopted for rating purposes, the capital valuations of the Valuer-General's most recent valuations applicable to land within the area of the Council totalling \$6,633,882,400.

2. Declaration of Rates

- (i) Declared differential general rates in the dollar based on capital values as follows:
 - (a) 0.187051 cents in the dollar on rateable land of Categories (a) Residential, (g) Primary Production and (i) Other land uses; and
 - (b) 0.505038 cents in the dollar on rateable land of Categories (b) Commercial—Shop, (c) Commercial—Office, (d) Commercial—Other, (e) Industry—Light, (f) Industry—Other and (h) Vacant Land land uses.
- (ii) Declared a fixed charge as a component of the general rates of \$634.65.
- (iii) Declared separate rates with a fixed charge amount that depends upon the use of the land to recover the contribution to the Regional Landscape Levy for the Limestone Coast Landscape Region as follows:
 - (a) \$90.55 per assessment on rateable land Categories (a) Residential, (h) Vacant Land and (i) Other,
 - (b) \$136.10 per assessment on rateable land Categories (b) Commercial—Shop, (c) Commercial—Office and (d) Commercial—Other,
 - (c) \$217.00 per assessment on rateable land Categories (e) Industry—Light and (f) Industry—Other, and
 - (d) \$398.00 per assessment on rateable land Category (g) Primary Production.

3. Service Charge

Imposed a Waste Service Charge of \$311.00 on all land to which it provides or makes available the prescribed service.

Dated: 11 July 2024

SARAH PHILPOTT
Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Adoption of Valuations and Declaration of Rates

Notice is given that the Council of the Corporation of the City of Norwood Payneham & St Peters, at a meeting held on 1 July 2024 and for the 2024-2025 financial year:

1. adopted, for rating purposes and effective from 16 June 2024, the Valuer-General's valuation of capital values in its area totalling \$22,844,943,680.
2. declared differential general rates on rateable land within its area as follows:
 - for residential land use, 0.0018746 cents-in-the-dollar on the Capital Value of the land; and
 - for Commercial (Shop), Commercial (Office), Commercial (Other), Industrial (Light), Industrial (other), Primary Production, Vacant Land and Other land uses, 0.0022495 cents in the dollar on the capital value of the land;
3. fixed a minimum amount payable by way of general rates of \$1,277 in respect of all rateable land within its area;
4. declared a separate rate of 0.00007273 cents-in-the-dollar on the Capital Value of rateable land in its area within the area of The Green Adelaide Board to recover the levy payable to the Board;
5. declared a differential separate rate of 0.00042190 cents in the dollar on the Capital Value of all land classified as Category (b) Commercial Shop, Category (c) Commercial Office, Category (d) Commercial Other and Category (e) Industrial Light within the area defined to constitute The Parade Precinct for these purposes.

Dated: 8 July 2024

MARIO BARONE PSM
Chief Executive Officer

CITY OF PLAYFORD

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the City of Playford at its meeting held on 25 June 2024, resolved as follows:

Adoption of Valuations

1. Pursuant to Section 167(2)(a) of the Act, the Council adopts for rating purposes for the year ending 30 June 2025 the Valuer-General's Capital Valuation of land within the Council's area, being \$25,504,406,420, of which \$24,828,892,625 represents rateable land.

Declaration of General Rate

2. That having considered and taken into account the general principles of rating contained in Section 150 of the Act, and in accordance with Section 153(2) of the Act issues of consistency and comparability across council areas in the imposition of rates on various sectors of the business and wider community, the Council pursuant to Sections 152(1)(c), 153(1)(b) and 156(1)(a) of the Act and Regulation 14 of the *Local Government (General) Regulations 2013*, declares the following differential general rates for the year ending 30 June 2025, to apply to all rateable land within the Council area based on the following two components:
 - 2.1 one being a fixed charge of \$1,188.50.
 - 2.2 the other being a differential general rate based on the capital value of the land varying accordingly to land use as follows:
 - (a) \$0.00158646 in the dollar of the capital value on rateable land of land uses Category 1 (residential), Category 7 (primary production), Category 8 (vacant land) and Category 9 (other) land use.
 - (b) \$0.01052120 in the dollar of the capital value on rateable land of land uses Category 2 (commercial shop), Category 3 (commercial office), Category 4 (commercial other), Category 5 (industry light) and Category 6 (industry other) land use.

Maximum Increase for Principal Place of Residence

3. Pursuant to Section 153(3) of the Act, the Council has determined that it will not apply a maximum increase (rates cap) on general rates to be imposed on rateable land constituting the principal place of residence of a principal ratepayer.

Separate Rate (Regional Landscape Levy)

4. Pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the Act, the Council imposes a separate rate of \$0.00006195 in the dollar for the year ending 30 June 2025 on the capital value of all rateable land in the Council area and the Green Adelaide Region, so as to reimburse the Council for the amount contributed or to be contributed by the Council to the Green Adelaide Board of \$1,537,032.

Dated: 11 July 2024

SAM GREEN
Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Adoption of Valuations and Declaration of Rates for 2024/2025

Notice is hereby given that on 25 June 2024, the Council resolved for the financial year ending 30 June 2025:

1. To adopt the capital valuations that are to apply in its area for rating purposes totalling \$51,088,708,971.
2. To declare differential general rates on rateable land within its area as follows:
 - Residential
A differential general rate of \$0.001843 in the dollar on the capital value of the land subject to the rate.
 - Commercial—Shop
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Commercial—Office
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.

- Commercial—Other
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Industry—Light
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Industry—Other
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Primary Production
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Vacant Land
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Other
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
 - Marina Berths
A differential general rate of \$0.0050795 in the dollar on the capital value of the land subject to the rate.
3. Fixed a minimum amount payable by way of rates, pursuant to Section 158 of the *Local Government Act 1999*, in respect of the 2024-2025 financial year, in respect of rateable land within all parts of its area of \$1,069.00.
 4. Declared a separate rate in respect of the Regional Landscape Levy for the 2024-2025 financial year of \$0.00006725 in the dollar on the capital value of rateable land in the area of Green Adelaide on 25 June 2024.
 5. Declared a separate rate in respect to the 2024-2025 financial year of \$0.0014375 in the dollar on the capital value of rateable land for each allotment contained within Deposited Plan No 42580 comprising the New Haven Village at North Haven.
 6. Declared that all rates declared or payable in respect of or during the 2024-2025 financial year will fall due (unless otherwise agreed with the Principal Ratepayer) in four equal or approximately equal instalments payable on 2 September 2024, 2 December 2024, 3 March 2025 and 2 June 2025.

With reference to categories of uses being the categories of uses as differentiating factors referred to in the *Local Government (General) Regulations 2013* and *Local Government Act 1999* and in the case of marina berths, as permitted by Section 156(4a) of the *Local Government Act 1999*.

Dated: 11 July 2024

M. WITHERS
Chief Executive Officer

CITY OF PORT LINCOLN

Adoption of Valuations and Declaration of Rates 2024/2025

Notice is hereby given that at its meeting on 24 June 2024, the City of Port Lincoln Council resolved for the year ending 30 June 2025 as follows:

- to adopt (effective from 1 July 2024) the valuations made by the Valuer-General of Capital Values of all land within the area of the Council valued at \$3,644,070,500.00 that are to apply for rating purposes;
- to declare differential general rates in respect of all rateable land within its area varying according to its land use and locality as follows:
 - (i) Residential 0.26732 cents in the dollar
 - (ii) Commercial—Shop, Office, Other..... 0.347516 cents in the dollar
 - (iii) Industry—Light, Other..... 0.347516 cents in the dollar
 - (iv) Vacant Land..... 0.80196 cents in the dollar
 - (v) Marina Berths..... 0.26732 cents in the dollar
 - (vi) Other 0.26732 cents in the dollar
 - (vii) Primary Production 0.347516 cents in the dollar
 - (viii) Employment Bulk Handling Zone..... 1.06928 cents in the dollar
- to impose a Fixed Charge of \$650.00 in respect of all rateable land;
- to declare a Waste Annual Service Charge of \$315.00 based on the nature of the service;
- to declare a Recycling Annual Service Charge of \$64.00 based on the nature of the service (excludes vacant land and marina berths);
- to declare a separate rate based on a fixed charge, determined by land use as follows:
 - (i) \$92.70 fixed charge for Residential, Other and Vacant Land
 - (ii) \$139.05 fixed charge for Commercial and Industrial Land
 - (iii) \$185.40 fixed charge for Primary Producers

on all rateable land within the Council area and the area of the Eyre Peninsula Landscape Board in order to reimburse the Council the amount contributed to the Eyre Peninsula Landscape Board.

Dated: 11 July 2024

E. BROWN
Chief Executive Officer

CITY OF UNLEY

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the Corporation of the City of Unley at a meeting on 24 June 2024 for the financial year ending 30 June 2025 resolved as follows:

Adoption of Valuations

Adopt for rating purposes the Government assessment of capital value being \$24,226,035,160 as detailed in the valuation roll prepared by the Valuer-General in relation to the Council area and specified 1 July 2024 as the day as and from which the valuations shall become and be the valuations of the Council.

Declaration of Rates

Declared differential general rates, based upon the capital value of the land as follows:

- (a) in respect to rateable land, which is categorised as Residential, a differential general rate of 0.001797 rate in the dollar;
- (b) in respect to rateable land which is categorised as Commercial—Shop, Industry—Light, Industry—Other, Primary Production, Vacant Land and Other, a differential general rate of 0.003866 rate in the dollar; and
- (c) in respect to rateable land which is categorised as Commercial—Office and Commercial—Other, a differential general rate of 0.004611 rate in the dollar.

Fix a minimum amount payable by way of general rates at \$993.

A separate rate of 0.00007345 rate in the dollar as the Regional Landscape Levy in accordance with the requirements of the *Landscape South Australia Act 2019*.

Differential Separate rates as follows:

- in that part of the Council's area comprising rateable land with an Unley Road address, a differential separate rate of 0.0003012 rate in the dollar, capped at \$2,000 in respect of land uses: Commercial—Shop, Commercial—Office and Commercial—Other.
- in that part of the Council's area comprising rateable land with a Goodwood Road address and situated between Mitchell Street/Arundel Avenue to the south and Leader Street/Parsons Street to the North, a differential separate rate of 0.0007927 rate in the dollar, capped at \$2,000 in respect of land uses: Commercial—Shop, Commercial—Office and Commercial—Other.
- in that part of the Council's area comprising rateable land with a King William Road address and situated between Greenhill Road and Commercial Road, a differential separate rate of 0.001420 rate in the dollar capped at \$2,000 in respect of land use: Commercial—Shop.
- in that part of the Council's area comprising rateable land along Fullarton Road between Cross Road and Fisher Street, a fixed charge of \$300 in respect of land uses: Commercial—Shop, Commercial—Office and Commercial—Other.

Dated: 11 July 2024

P. TSOKAS
Chief Executive Officer

CITY OF WEST TORRENS

Adoption of Valuations and Declaration of Rates

Notice is hereby given that the Council in exercise of the powers contained in Chapters 8, 9 and 10 of the *Local Government Act 1999* and the *Landscape South Australia Act 2019*:

1. Adoption of Valuations

At a meeting held on 18 June 2024, adopted for rating purposes, for the year ended 30 June 2025, the capital valuations of the Valuer-General of all property within the Council area, totalling \$29,094,552,640.

2. Declaration of Rates

At a meeting held on 18 June 2024:

- (i) Declared differential general rates in the dollar based on capital values as follows:
 - (a) 0.191347 cents in the dollar on rateable land use of the permissible differing Category (a);
 - (b) 0.516635 cents in the dollar on any rateable land of the permissible differing Categories (b) to (i) inclusive.
- (ii) Declared a minimum amount payable by way of general rates on rateable land in its area of \$1,129.00.
- (iii) Declared a separate rate on rateable land within the Council area of 0.007106 cents in the dollar based on capital values, as a contribution to the Green Adelaide Board.

3. Payment

Rates may be paid by 4 equal or approximately equal instalments as follows:

- (i) 2 September 2024 in respect of the first instalment;
- (ii) 2 December 2024 in respect of the second instalment;
- (iii) 3 March 2025 in respect of the third instalment; and
- (iv) 2 June 2025 in respect of the fourth instalment.

Dated: 11 July 2024

ANGELO CATINARI
Chief Executive Officer

ALEXANDRINA COUNCIL

Adoption of Valuations and Declaration of Rates

Notice is given that the Alexandrina Council at its meeting held on 24 June 2024, for the financial year ending 30 June 2025, in exercise of the powers contained in Chapter 8 and 10 of the *Local Government Act 1999*, resolved as follows:

Adoption of Valuations

To adopt the most recent valuations of capital value made by the Valuer-General for rating purposes being total valuations of \$13,203,070,100 of which \$12,884,080,530 is the valuation of rateable land.

Declaration of Rates

To declare differential general rates based on the capital value of the land and by reference to land uses prescribed in Regulation 14 of the *Local Government (General) Regulations 2013* as follows:

- Land Use Category (a) Residential, Category (b) Commercial—Shops, Category (c) Commercial—Office, Category (d) Commercial—Other, Category (e) Industry—Light, Category (f) Industry—Other, Category (g) Vacant Land, Category (h) Other, a differential general rate of 0.32334 cents in the dollar; and
- Land Use Category 7 (Primary Production), a differential general rate of 0.26840 cents in the dollar.

Fixed Charge

To impose a fixed charge of \$440 on each separate piece of rateable land within the Council area.

Declaration of Separate Rates—Regional Landscape Levy Valuations

In order to reimburse Council, the amounts payable to the Hills and Fleurieu Landscape Board, to declare a separate rate of 0.0100 cents in the dollar based on the capital value of properties.

Service Charges

To impose the following service charges for all properties serviced by common effluent schemes as follows:

- (a) Occupied unit—\$725.
- (b) Vacant unit—\$535.

Dated: 1 July 2024

N. MORRIS
Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Bruhn's Road, Manoora

Notice is hereby given, pursuant to Section 10 of the *Roads (Opening and Closing) Act 1991*, that the Clare and Gilbert Valleys Council proposes to make a Road Process Order to close and sell to the adjoining land owner a portion of the public road adjoining allotment 102 in F176174, in the Hundred of Saddleworth more particularly delineated and lettered 'A' in Preliminary Plan 24/0024.

The Preliminary Plan and Statement of Persons Affected is available for public inspection at the offices of the Clare and Gilbert Valleys Council, 4 Gleeson Street, Clare and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan may also be viewed at www.sa.gov.au/roadsactproposals.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Clare and Gilbert Valleys Council, 4 Gleeson Street, Clare within 28 days of this notice and a copy must be forwarded to the Surveyor-General at GPO Box 1815, Adelaide SA 5001. Where an objection is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 11 July 2024

DR HELEN MACDONALD
Chief Executive Officer

COORONG DISTRICT COUNCIL

Adoption of Valuations and Declarations of Rates

Notice is hereby given that at the ordinary Council meeting held on Tuesday, 25 June 2024, Coorong District Council resolved for the financial year ended 30 June 2025:

Adoption of Valuations

To adopt for rating purposes the most recent capital valuations of the Valuer-General totalling \$4,207,486,400.

Declaration of General Rates and Separate Rates

To declare general rates as follows:

1. A fixed charge of \$150 in respect to each rateable assessment.
2. Differential general rates on the capital value and locality of all rateable land within the Bulk Handling Zone as described in Council's Rating Strategy at 0.008010.

3. Differential general rates on the capital value and locality of all rateable land outside the Bulk Handling Zone according to the use of the land as follows:
 - (a) 0.002560 for the land use category of Residential;
 - (b) 0.003410 for the land use category of Commercial—Shop;
 - (c) 0.003410 for the land use category of Commercial—Office;
 - (d) 0.003463 for the land use category of Commercial—Other;
 - (e) 0.003410 for the land use category of Industry—Light;
 - (f) 0.003463 for the land use category of Industry—Other;
 - (g) 0.002223 for the land use category of Primary Production;
 - (h) 0.004450 for the land use category of Vacant Land; and
 - (i) 0.003000 for the land use category of Other.
4. A separate rate of 0.00015041 on the capital value of all rateable land within that part of the Council area that is within the area of the Murraylands and Riverland Landscape Board.
5. A differential separate rate on all rateable land within that part of the Council area that is within the area of the Limestone Coast Landscape Board with the following land uses:
 - (a) \$113.00 per rateable property with the land use of Residential, Vacant and Other;
 - (b) \$161.50 per rateable property with the land use of Commercial—Shop, Office or Other;
 - (c) \$224.50 per rateable property with the land use of Industrial—Light or Other; and
 - (d) \$458.73 per rateable property with the land use of Primary Production.

Annual Service Charges

To impose annual service charges as follows:

1. \$337 on each eligible assessment of rateable and non-rateable land within the kerbside collection boundary to which the Council makes available a Kerbside Waste Management Service.
2. The Community Wastewater Management Scheme (CWMS) for Taillem Bend, Meningie, Tintinara and Wellington East:
 - \$721 per occupied unit;
 - \$690 per vacant allotment.
3. On each assessment of rateable and non-rateable land to which the Council makes available a water supply service in the areas of Wellington East and Peake:
 - A supply charge of \$235 per property;
 - A usage charge of \$0.63 per kilolitre used.

Dated: 11 July 2024

BRIDGET MATHER
Chief Executive Officer

COPPER COAST COUNCIL

Adoption of Valuation and Declaration of Rates

Notice is hereby given that the Copper Coast Council, at its Meeting held on Wednesday, 3 July 2024, resolved for the year ending 30 June 2025 as follows:

Adoption of Valuations

To adopt the most recent valuations of the Valuer-General available to the Council, of the capital value of land within the Council area totalling \$5,899,150,520 and of which \$5,746,655,083 is the total valuation of rateable land.

Rates

1. To declare the following differential general rates varying according to the use of the land:
 - (i) Category (a)—Residential, a rate of 0.2780 cents in the dollar;
 - (ii) Category (b)—Commercial—Shop, Category (c)—Commercial—Office, Category (d)—Commercial Other, a rate of 0.6100 cents in the dollar;
 - (iii) Category (e)—Industrial—Light, Category (f)—Industrial—Other, a rate of 0.6100 cents in the dollar;
 - (iv) Category (g)—Primary Production, a rate of 0.2330 cents in the dollar;
 - (v) Category (h)—Vacant Land, a rate of 0.4800 cents in the dollar;
 - (vi) Category (i)—Other (any other land use not referred to in a previous category), a rate of 0.3200 cents in the dollar; and
 - (vii) Marina Berths, a rate of 0.6100 cents in the dollar.
2. To impose an amount of \$527.00 as a fixed charge as part of the general rates in respect of each separate piece of rateable land in the area of the Council.
3. To declare a separate rate of a fixed amount of \$811.00 in respect of each separate piece of rateable land in that part of the Council area known as “The Dunes” to partly fund the activity of the maintenance of the Port Hughes Golf Course.

4. To declare a differential separate rate of 0.0331 cents in the dollar with a minimum amount of \$50.00 being payable in respect of each separate piece of rateable land (excluding land with a residential land use) in that part of the Council area known as Kadina Central Business District for the activity which is the 'revitalisation project'.
5. To declare a separate rate of a fixed amount of \$265.00 in respect to each allotment per certificate of title for properties in that part of the Council area adjoining the Riley Cove Community Corporations 20692 internal roads to fund the activity of the replacement of the road seal, pavement and kerbing (internal road maintenance).
6. To declare a separate rate of a fixed amount of \$297.67 per lineal metre in respect of each property allotment per certificate of title for properties along the western boundary of Otago Road, North Beach and the property on Lot 11 located to the immediate south of the Wallaroo Holiday Park for a 34% contribution towards the activity of the implementation of the Sand drift Study.
7. To declare a separate rate of a fixed amount of \$1,231.20 in respect of each property allotment per certificate of title for properties adjoining David Street between George Street and Brittain Road for a 50% contribution to install kerbing and sealing on David Street.

Community Wastewater Management Scheme Annual Service Charges

To impose an annual service charge based on the nature of the service and the level of usage of the service of \$591.00 per property unit in respect of all land to which the Council provides or makes available the Community Wastewater Management scheme.

Regional Landscape Levy

To declare a separate rate of 0.0104 cents in the dollar based on the capital value of all rateable land within the Council area and the area of the Northern and Yorke Landscape Board in order to reimburse the Council the amount of \$597,068.00 payable to the Northern and Yorke Landscape Board.

Dated: 11 July 2024

GRAEME MAXWELL
Acting Chief Executive Officer

DISTRICT COUNCIL OF ORROROO CARRIETON

Adoption of Valuations and Declaration of Rates 2024-2025

Notice is given that the Council at an Ordinary Meeting held on the 26 June 2024, in respect of the financial year ending 30 June 2025, resolved as follows:

Adoption of Valuations

Adopted, for rating purposes, the most recent valuations of the Valuer-General available to Council of the Capital Value of land within the Council's area totalling \$433,541,280 of which \$424,176,739 is the total Capital Value of rateable land.

General Rates

Declared the following rates for the year ending 30 June 2024, be declared on rateable land within its area, based on the capital value of the land:

- (a) 0.2300 cents in the dollar for Primary Production land located within the Council area
- (b) 0.3499 cents in the dollar for all other forms of land use located within the Council area

Fixed Charge

Declared a fixed charge of \$370.00 on all rateable land within the Council area.

Annual Service Charges*Waste Management Collection*

Imposed an annual services charge for waste management collection of \$398.00 to be applied to all properties to which the service is provided or is made available, with a charge of \$170.00 for each additional bin.

Community Wastewater Scheme

Imposed an annual service charge based on the level of usage of the service of \$1,670 per property unit in respect of all land to which the Council provides the Community Wastewater Management scheme.

Separate Rate—Regional Landscape Levy

Declared a separate rate of 0.010680 cents in the dollar on all rateable land within the Council area to recover the amount payable to the Regional Landscapes Board.

Dated: 3 July 2024

PAUL SIMPSON
Chief Executive Officer

NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

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